

**TOLLAND PUBLIC SCHOOLS**  
**Tolland, Connecticut**

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ADMINISTRATIVE REGULATION

REGARDING: Section 504 of the  
Rehabilitation Act of 1973

Number: 5171  
Students

Approved: 6/13/07  
REVISED: 3/12/14

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Tolland Board of Education Section 504 Grievance/Complaint Procedures

Section 504 prohibits discrimination on the basis of disability. For the purposes of Section 504, the term "disability" with respect to an individual means: (a) a physical or mental impairment that substantially limits one or more major life activities of such individual; (b) a record of such an impairment; or (c) a record of such an impairment; or (c) being regarded as having such an impairment.

I. Definitions

Free Appropriate Public Education (FAPE): for purposes of Section 504, refers to the provision of regular or special education and related aids and services that are designed to meet individual educational needs of students with disabilities as adequately as the needs of students without disabilities are met, that are provided without cost (except for fees imposed on nondisabled students/parents), and is based upon adherence to procedures that satisfy the Section 504 requirements pertaining to educational setting, evaluation and placement, and procedural safeguards.

Major life activities: include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working. A major life activity also includes the operation of a major bodily function, including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions.

Mitigating measures: include, but are not limited to, medication, medical supplies, equipment, appliances, low-vision devices (not including ordinary eyeglasses or contact lenses), prosthetics, hearing aids, cochlear implants, mobility devices, oxygen therapy, use of assistive technology, reasonable accommodations or auxiliary aids or services or learned behavioral or adaptive neurological modifications.

Physical or mental impairment: a) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine or b) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific Learning disabilities.

II. Procedures for grievances/complaints alleging discrimination on the basis of disability

- A. Any eligible person, including any student, parent/guardian, staff member or other employee who feels that he/she has been discriminated against on the basis of disability may submit a written complaint to the district's designated Section 504 coordinator within thirty (30) school days of the alleged occurrence. Timely reporting of complaints facilitates the prompt investigation and resolution of such complaints. If the complaint is made verbally, the individual taking the complaint will reduce it to writing.
- B. At any time, when complaints involve discrimination that is directly related to a claim regarding the identification, evaluation, or educational placement of a student under Section 504, the complainant may request that the Section 504 coordinator submit the complaint directly to an impartial hearing officer and request a hearing in accordance with section iii.d. Complaints regarding a student's rights with respect to his/her identification, evaluation or educational placement shall be addresses in accordance with the procedures set forth below in section iii.
- C. Retaliation against any individual who complains pursuant to the Board's policy and regulations listed herein is strictly prohibited. The district will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting or complaint of disability-based discrimination, or as a result of an individual's participation or cooperating in the investigation of a complaint. The district will take necessary action to prevent retaliation as a result of filing a complaint or the participation in an investigation of a complaint.
- D. If the Section 504 coordinator is the subject of the complaint, the complaint should be submitted directly to the superintendent-, who may conduct the investigation or appoint a designee to conduct the investigation.
- E. Complaints will be investigated promptly within timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and other extenuating circumstances. Confidentiality will be maintained by all persons involved in the investigation to the extent possible.
- F. The complaint should contain the following information:
  - 1. The name of the complainant;
  - 2. The date of the complainant;
  - 3. The date (s) of the alleged discrimination;
  - 4. The names of any witness(es) or individuals relevant the complaint; and
  - 5. A detailed statement describing the circumstances in which the alleged discrimination occurred.

However, all complaints will be investigating to the extent possible, even if such information is not included in the complaint. In such circumstances, additional information may be requested by the investigator as part of the investigation process.

- G. Upon receipt of the complaint, the individual investigating the complaint shall:

1. Provide a copy of the written complaint to the superintendent of schools;
  2. Meet with the complainant within ten (10) school days to discuss the nature of the complaint, identify individuals the complainant believes has relevant information, and obtain any relevant documents the complainant may have;
  3. Provide the complainant with a copy of the Board's Section 504 policy and applicable administrative regulations;
  4. Investigate the factual basis for the complaint, including interviews with individuals with information and review of documents relevant to the complaint;
  5. Maintain confidentiality to the extent practicable throughout the investigative process, in accordance with state and federal law;
  6. Communicate the outcome of the investigation in writing to the complainant, and to any individual properly identified as a party to the complaint (to the extent permitted by state and federal confidentiality requirements), within fifteen (15) school days from the date the complaint was received by the Section 504 coordinator or superintendent. The investigator may extend this deadline for no more than fifteen (15) additional school days if needed to complete the investigation. The complainant shall be notified of such extension. The written notice shall include a finding whether the complaint was substantiated and if so, shall identify how the district will remedy any identified violations of Section 504;
  7. After an investigation, may attempt to resolve any potential violation of Section 504 and/or the complainant's concerns, if possible;
  8. Ensure that appropriate corrective action is taken whenever allegations are verified. When allegations are verified, ensure that compensatory services are considered and offered, when appropriate.
  9. If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of staff and/or other individuals who may have information relevant to the complaint.
- H. If the complainant is not satisfied with the findings and conclusions of the investigation, the complainant may present the complaint and written outcome to the superintendent for review and reconsideration within thirty (30) calendar days of receiving the findings. This process provides an opportunity for complainants to bring information to the superintendent's attention that would change the outcome of the investigation. In submitting the complaint and written outcome for review, the complainant must explain why he/she believes the factual information was incomplete, the analysis of the facts was incorrect, and/or the appropriate legal standard was not applied, and how this would change the investigator's determination in the case. Failure to do so may result in the denial of the review.

Upon review of a written request from the complainant, the superintendent shall review the investigative results of the Section 504 coordinator and determine if further action and/or investigation is warranted. Such action may include consultation with the investigator and complainant, a meeting with appropriate individuals to attempt to resolve the complaint or a decision affirming or overruling the investigator's conclusions or findings. The superintendent shall provide written notice to the complainant of the proposed actions within ten (10) school days following the receipt of the written request for review.

III. Complaint resolution procedures for complaints involving a student's identification, evaluation, and/or educational placement

Complaints regarding a student's identification, evaluation, or educational placement shall generally be handled using the procedures described below, however, at any time, the complainant may request that the Section 504 coordinator submit the complaint directly to an impartial hearing officer, and request a hearing in accordance with the provisions of subsection d (below).

A. Submission of complaint to section 504 coordinator

1. In order to facilitate the prompt investigation of complaints, any complaint regarding a student's identification, evaluation or educational placement under Section 504 should be forwarded to the district's Section 504 coordinator within thirty (30) school days of the alleged date that the dispute regarding the student's identification, evaluation or education placement arose. Timely reporting of complaints facilitates the resolution of potential educational disputes as it assists the district in gathering current, accurate information and enables the district to take corrective actions when necessary to ensure that a student is provided with an appropriate educational program.
2. The complaint concerning a student's identification, evaluation or educational placement should contain the following information:
  - a. Full name of the student, age, and grade level;
  - b. Name of parent (s);
  - c. Address and relevant contact information for parent/complainant;
  - d. Date of complaint;
  - e. Specific areas of disagreement relating to the student's identification, evaluation or placement; and
  - f. Remedy requested

However, all complaints will be investigated to the extent possible even if such information is not included in the complaint. In such circumstances, additional information may be requested by the investigator as part of the investigation process.

3. Complaints will be investigated promptly within timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and other extenuating circumstances.
4. Upon receipt of the complaint, the Section 504 coordinator shall:
  - a. Forward a copy of the complaint to the superintendent of schools;
  - b. Meet with the complainant within ten (10) school days to discuss the nature of his/her concerns and determine if an appropriate resolution can be reached. If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as

possible given the availability of staff and other individuals who may have information relevant to the complaint.

- c. If, following such a meeting, further investigation is deemed necessary, the Section 504 coordinator shall promptly investigate the factual basis for the complaint, consulting with any individuals reasonably believed to have relevant information, including the student and/or complainant; and
- d. Communicate the results of his/her investigation in writing to the complainants and any persons names as parties to the complaint (to the extent permitted by state and federal confidentiality requirements) within fifteen (15) school days from the date the complaint was received by the Section 504 coordinator.
- e. In the event that the person making the complaint contends that the Section 504 coordinator has a conflict of interest that prevents him/her from serving in this role, the complaint shall be forwarded to the superintendent who shall appoint an investigator who does not have a conflict of interest.

B. Review by Superintendent of School

1. If the complainant is not satisfied with the findings and/or resolution offered as a result of the Section 504 coordinator's review, he or she may present the complaint and the written statement of findings to the superintendent for review and reconsideration within thirty (30) calendar days of receiving the findings. This process provides an opportunity for complainants to bring information to the superintendent's attention that would change the outcome of the investigation. In submitting the complaint and written outcome for review, the complainant must explain why he/she believes the factual information was incomplete, the analysis of the facts was incorrect, and/or the appropriate legal standard was not applied, and how this would change the investigator's determination in the case. Failure to do so may result in the denial of the review.
2. The superintendent shall review the complaint and any relevant documents maintained by the Section 504 coordinator/investigator and shall consult with the Section 504 coordinator/investigator regarding attempts to resolve the complaint. The superintendent also shall consult with the complainant. The superintendent may attempt to resolve the complainant's concern alone, or with another appropriate administrator.
3. Following the superintendent's review, he or she shall communicate his/her findings to the complainant within ten (10) school days following his/her receipt of the written request for review.
4. If the complainant is not satisfied with the superintendent's decision of proposed resolution, he/she may request that the superintendent submit the matter to a neutral mediator or to an impartial hearing officer. This request for a hearing/mediation should be made within fifteen (15) school days of the superintendent's decision. Mediation shall only occur by mutual agreement of the parties.

C. Mediation procedures:

- 1.The neutral mediator must be someone who is knowledgeable about Section 504 and the differences between Section 504 and the regulations and requirements of the individuals with disabilities education act (idea)
- 2.The mediator shall inform all parties involved of the date, time, and place of the mediation and of the right to have legal counsel or other representation at the complainant’s own expense, if desired.
- 3.The mediator shall meet with the parties jointly, or separately, as determined by the mediator, and shall facilitate a voluntary settlement of the dispute between the parties, if possible.
- 4.All statements, offers, or discussions during the mediation process shall be confidential.
- 5.If the parties are not able to reach a voluntary settlement of the dispute, the complainant may request an impartial hearing, as described below.

D. Impartial hearing procedures:

- 6.The impartial hearing officer must be someone who is knowledgeable about Section 504 and the differences between Section 504 and the regulations and requirements of the individuals with disabilities education act (idea).
- 7.The impartial hearing officer shall inform all parties involved of the date, time and place of the hearing and of the right to present witness(es) and to have legal council or other representation at the complainant’s own expense, if desired.
- 8.The impartial hearing officer shall hear all aspects of the complainant’s complaint and/or appeal concerning the identification, evaluation, and/or educational placement of the student and shall reach a decision within forty-five (45) school days of receipt of the request for hearing. The decision shall be presented in writing to the complainant and to the Section 504 coordinator.
- 9.Section 504 impartial hearing does not have jurisdiction to hear claims alleging discrimination, harassment or retaliation based on an individual’s disability unless such a claim is directly related to a claim regarding the identification, evaluation, or educational placement of a student under Section 504.

- E. The time limits noted throughout section iii may be extended if more time is needed to permit thorough review and opportunity for resolution.

IV. The section 504 coordinator for this district is:

Director of Pupil Services  
Tolland High School  
One Eagle Hill  
Tolland, Ct 06084

Telephone: 860-870-6818

## V. Complaints to state and federal agencies

At any time, the complainant has the right to file a formal complaint with the U.S. Department of Education, Office for Civil Rights, 8<sup>th</sup> floor, 5 Post Office Square, Suite 900, Boston, MA 02109-0111 (telephone number (617) 289-0111)

Any employee who believes that he or she has been discriminated against on the basis of disability may also file a complaint with the Connecticut Commission on Human Rights and Opportunities, 1229 Albany Avenue, Hartford, CT 06112 (Telephone number 566- 7710) and/or the Equal Employment Opportunity Commission, Boston area office, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02114 (Telephone number 617-565-3200). Connecticut law requires that a formal written complaint be filed with the Commission on Human Rights and Opportunities within one hundred and eighty (180) days of the date when the alleged discrimination. Remedies for discrimination include cease and desist orders, back pay, compensatory damages, hiring, promotion or reinstatement.

## Tolland Public Schools

### Notice of parent/student rights

#### Under Section 504 of the Rehabilitation Act of 1973

Section 504 of the rehabilitation act of 1973 (commonly referred to as "Section 504") is a nondiscrimination statute enacted by the united states congress. The purpose of Section 504 is to prohibit discrimination on the basis of disability. Under Section 504, the school district also has specific responsibilities to identify, evaluate, and provide an educational placement for students who are determined to have a physical or mental impairment that substantially limits a major life activity. The school district's obligation includes providing such eligible students access to Free Appropriate Public Education ("FAPE"). Section 504 defines FAPE as the provision of regular or special education and related services that are designed to meet the individual educational needs of a student with a disability as adequately as the needs of students without disabilities are met, and that are provided without cost (except for fees imposed on nondisabled students/parents).

A student is covered under Section 504 if it is determined that he/she suffers from a mental or physical disability that substantially limits major life activity such as (but not limited to) caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working. A major life activity may also include the operation of a major bodily function, such as an individual's immune, digestive, respiratory, or circulatory systems.

A student can be disabled and be covered by Section 504 even if he/she does not qualify for, or receive, special education services under the idea.

The purpose of this notice is to provide parents/guardians and students with information regarding their rights under Section 504.

Under Section 504, you have the right:

1. To be informed of your rights under Section 504;
2. To have your child take part in and receive benefits from the Tolland School District's Education Programs without discrimination based on his/her disability;
3. For your child to have equal opportunities to participate in academic, nonacademic and extracurricular activities in your school without discrimination based on his/her disability;
4. To be notified of decisions and the basis for decisions regarding the identification, evaluation, and educational placement of your child under Section 504;
5. If you suspect your child may have a disability, to request an evaluation, and eligibility decision by a team of persons who are knowledgeable of your child, the assessment data, and any placement options;
6. If your child is eligible for services under Section 504, for your child to receive a free appropriate public education (FAPE). This includes the right to receive regular or special education and related services that are designed to meet the individual needs of your child as adequately as the needs of students without disabilities are met.
7. If your child is eligible for services under Section 504, for your child to receive reasonable accommodations and services to allow your child an equal opportunity to participate in school and school-related activities;
8. For your child to be educated with peers who do not have disabilities to the maximum extent appropriate;
9. To have your child educated in facilities and receive services comparable to those provided to non-disabled students;
10. To review all relevant records relating to decisions regarding your child's Section 504 identification, evaluation, and educational placement;
11. To examine or obtain copies of your child's educational records at a reasonable cost unless the fee would effectively deny you access to the records;
12. To request changes in the educational program of your child;
13. To an impartial hearing if you disagree with the school district's decisions regarding your child's Section 504 identification, evaluation or educational placement. The costs for this hearing are borne by the local school district. You and the student have the right to take part in the hearing and to have an attorney represent you at your expense.
14. To file a local grievance or complaint with the district's designated Section 504 coordinator to resolve complaints of discrimination other than those involving the identification, evaluation or placement of your child.



15. To file a formal complaint with the U.S. Department of Education, Office for Civil Rights.

The Section 504 coordinator for the district is:

Director of Pupil Services  
Tolland High School  
One Eagle Hill  
Tolland, CT 06084

Telephone: 860-870-6818

For additional assistance regarding the rights under Section 504, you may contact:

Boston Regional Office  
Office for Civil Rights U.S. Department of Education  
8<sup>th</sup> floor  
5 Post Office Square, Suite 900  
Boston, MA 02109-3921

Telephone: (617) 289-0111

Connecticut State Department of Education  
Bureau of Special Education  
and Pupil Services  
P.O. Box 2219  
Hartford, CT 06145

Telephone: (860) 807-2030

**TOLLAND BOARD OF EDUCATION SECTION 504  
COMPLAINT PROCEDURES**

Section 504 prohibits discrimination on the basis of disability. The term “disability” with respect to an individual means: (a) a physical or mental impairment that substantially limits, one or more major life activities of such individual; (b) a record of such an impairment; or (c) being regarded as having such an impairment. “major life activities” include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working. A major life activity also includes the operation of a major bodily function, including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions.

*I. Procedures for Complaints Alleging Discrimination on the Basis Of Disability*

- A. It is the express policy of the Board of Education to provide for the prompt and equitable resolution of complaints alleging any violation of Section 504. In order to facilitate the timely resolution of such complaints, any eligible person, including any student, parent/guardian, staff member or other employee who feels that he/she has been discriminated against on the basis of disability should submit a written complaint to the district’s designated Section 504 coordinator within thirty (30) days of the alleged occurrence. Timely reporting of complaints facilitates the investigation and resolution of such complaints. Complaints regarding a student’s rights with respect to his/her identification, evaluation, or educational placement shall be addressed in accordance with the procedures set forth below in section ii.
- B. If the Section 504 Coordinator is the subject of the complaint, the complaint should be submitted directly to the Superintendent, who shall investigate or appoint a designee to do so.
- C. Complaints will be investigated promptly and corrective action will be taken when allegations are verified. Confidentiality will be maintained by all persons involved in the investigation to the extent possible.
- D. The written complaint should contain the following information:
  - 1. The name of the complainant;
  - 2. The date of the complaint;
  - 3. The date(s) of the alleged discrimination;
  - 4. The names of any witness(es) or individuals relevant to the complaint; and
  - 5. A detailed statement describing the circumstances in which the alleged discrimination occurred.
- e. Upon receipt of the written complaint, the Section 504 Coordinator (or superintendent, as outlined above), shall:
  - 1. Provide a copy of the written complaint to the Superintendent of Schools;
  - 2. Meet with the complainant to discuss the nature of the complaint;
  - 3. Provide the complainant with a copy of the Board’s Section 504 policy and applicable administrative regulations;

4. Investigate the factual basis for the complaint, including interviews with individuals with information relevant to the complaint;
5. Attempt to resolve the complainant's concerns, whenever possible;
6. Maintain confidentiality to the extent practicable throughout the investigative process, in accordance with state and federal law;
7. Communicate the findings of the investigation to the complainant, along with intended remedial actions, whenever appropriate, while keeping in mind confidentiality obligations; and
8. Ensure that appropriate remedial and/or disciplinary action is taken whenever allegations are verified.

F. If, following the investigation by the Section 504 Coordinator, the complainant is not satisfied with the results of the investigation or the proposed resolution, the complainant may request, in writing, that the Superintendent review the findings of the Section 504 Coordinator. Upon receipt of a written request from the complainant, the superintendent shall review the investigative results of the section 504 coordinator and determine if further action and/or investigation is warranted.

II. *Complaint resolution procedures for complaints involving a student's identification, evaluation, and/or educational placement*

Complaints regarding a student's identification, evaluation, or educational placement shall generally be handled using the procedures described below, however, at any time, the complainant may request that the section 504 coordinator submit the complaint directly to an impartial hearing officer, and request a hearing in accordance with the provisions of subsection (d) (below).

A. Submission of complaint to Section 504 Coordinator

1. In order to facilitate the prompt investigation of complaints, any complaint regarding a student's identification, evaluation or educational placement under Section 504 should be forwarded to the district's Section 504 Coordinator within thirty (30) days of the alleged date that the dispute regarding the student's identification, evaluation or education placement arose. Timely reporting of complaints facilitates the resolution of potential educational disputes as it assists the district in gathering current, accurate information and enables the district to take corrective actions when necessary to ensure that a student is provided with an appropriate educational program.
2. The written complaint concerning a student's identification, evaluation or educational placement should contain the following information:
  - A. Full name of the student, age, and grade level;
  - b. Name of parent(s);
  - C. Address and relevant contact information for parent/complainant;
  - d. Date of complaint;
  - E. Specific areas of disagreement relating to the student's identification, evaluation or placement; and
  - f. Remedy requested.

3. Upon receipt of the written complaint, the Section 504 Coordinator shall:
  - a. Forward a copy of the complaint to the Superintendent of Schools;
  - b. Meet with the complainant within ten (10) business days to discuss the nature of his/her concerns and determine if an appropriate resolution can be reached;
  - c. If, following such a meeting, further investigation is deemed necessary, the Section 504 Coordinator shall promptly investigate the factual basis for the complaint, consulting with any individuals reasonably believed to have relevant information, including the student and/or complainant; and
  - d. Communicate the results of his/her investigation to the complainant within fifteen (15) business days from the date upon which the complaint was received by the Section 504 Coordinator.

B. Review by Superintendent of Schools

1. If the complainant is not satisfied with the findings and/or resolution offered as a result of the Section 504 Coordinator's review, he or she may present the written complaint to the Superintendent for his/her review.
2. The Superintendent shall review the complaint and any relevant documents maintained by the Section 504 Coordinator and shall consult with the Section 504 Coordinator regarding attempts to resolve the complaint. The Superintendent shall also consult with the complainant. The Superintendent may attempt to resolve the complainant's concerns alone, or with another appropriate administrator.
3. Following the Superintendent's review, he or she shall communicate his/her findings to the complainant within ten (10) business days following his/her receipt of the written request for review by the superintendent.
4. If the complainant is not satisfied with the Superintendent's decision or proposed resolution, he/she may request that the Superintendent submit the matter to a mediator or to an impartial hearing officer. This request for a hearing/mediation should be made within fifteen (15) days of the superintendent's decision. Mediation shall only occur by mutual agreement of the parties.

C. Mediation Procedures:

1. The mediator must be someone who is knowledgeable about section 504 and the differences between Section 504 and the regulations and requirements of the Individuals with Disabilities Education Act (IDEA).
2. The mediator shall inform all parties involved of the date, time and place of the mediation and of the right to have legal counsel or other representation at the complainant's own expense, if desired.
3. The mediator shall meet with the parties jointly, or separately, as determined by the mediator, and shall facilitate a voluntary settlement of the dispute between the parties, if possible.

4. If the parties are not able to reach a voluntary settlement of the dispute, the complainant may request an impartial hearing, as described below.

D. Impartial Hearing Procedures:

1. The impartial hearing officer must be someone who is knowledgeable about Section 504 and the differences between Section 504 and the regulations and requirements of the Individuals with Disabilities Education Act (IDEA).
2. The impartial hearing officer shall inform all parties involved of the date, time and place of the hearing and of the right to present witness(es) and to have legal counsel or other representation at the complainant's own expense, if desired.
3. The impartial hearing officer shall hear all aspects of the complainant's appeal and shall reach a decision within forty-five (45) calendar days of receipt of the request for hearing. The decision shall be presented in writing to the complainant and to the Section 504 Coordinator.
4. A Section 504 impartial hearing officer does not have jurisdiction to hear claims alleging discrimination, harassment or retaliation based on an individual's disability unless such a claim is *directly related* to a claim regarding the identification, evaluation, or educational placement of a student under Section 504.

- E. The time limits noted throughout section ii may be extended if more time is needed to permit thorough review and opportunity for resolution.

iii. *The Section 504 Coordinator for this District is:*

Director of Pupil Services  
Tolland High School  
1 Eagle Hill  
Tolland, CT 06084                      Telephone: (860) 870-6818

iv. *Complaints to State and Federal Agencies*

At any stage in these complaint procedures, the complainant has the right to file a formal complaint with the U.S. Department of Education, Office for Civil Rights, 33 Arch Street, Suite 900, Boston, MA 02110 Telephone Number (617) 289-0111. Any such complaints must be filed within one hundred and eighty (180) days of the date of the alleged violation of Section 504.

Any employee who believes that he or she has been discriminated against on the basis of disability may also file a complaint with the Connecticut Commission on Human Rights and Opportunities, 1229 Albany Avenue, Hartford, CT 06112 (Telephone Number 566-7710) and/or the Equal Employment Opportunity Commission, Boston Area Office, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02114 (Telephone Number 617-565-3200). Connecticut law requires that a formal written complaint be filed with the Commission on Human Rights and Opportunities within one hundred and eighty (180) days of the date when the alleged discrimination occurred. Remedies for discrimination include cease and desist orders, back pay, compensatory damages, hiring, promotion or reinstatement.

## **TOLLAND PUBLIC SCHOOLS**

### **NOTICE OF PARENT/STUDENT RIGHTS UNDER SECTION 504 OF THE REHABILITATION ACT OF 1973**

Section 504 of the Rehabilitation Act of 1973 (commonly referred to as "Section 504") is a nondiscrimination statute enacted by the United States Congress. The purpose of Section 504 is to prohibit discrimination and to assure that disabled students have educational opportunities and benefits equal to those provided to non-disabled students.

An eligible student under Section 504 is a student who (a) has, (b) has a record of having or (c) is regarded as having, a physical or mental impairment which substantially limits a major life activity such as learning, self-care, walking, seeing, hearing, speaking, breathing, working, and performing manual tasks.

Many students will be eligible for educational services under both Section 504 and the Individuals with Disabilities Education Act (IDEA), but entitlement to services under the IDEA or other statutes is not required to receive services under Section 504.

The following is a description of the rights and options granted by federal law to students with disabilities under Section 504. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions. You have the right:

1. To be informed of your rights under Section 504;
2. To have your child take part in and receive benefits from the Tolland School District's education programs without discrimination based on his/her disability;
3. For your child to have equal opportunities to participate in academic, nonacademic and extracurricular activities in your school without discrimination based on his/her disability;
4. To be notified with respect to the Section 504 identification, evaluation, and educational placement of your child;
5. To have an evaluation, educational recommendation, and placement decision developed by a team of persons who are knowledgeable of your child, the assessment data, and any placement options;
6. If your child is eligible for services under Section 504, for your child to receive a free appropriate public education. This includes the right to receive reasonable accommodations, modifications, and related services to allow your child an equal opportunity to participate in school and school-related activities;
7. For your child to be educated with peers who do not have disabilities to the maximum extent appropriate;
8. To have your child educated in facilities and receive services comparable to those provided to non-disabled students;
9. To review all relevant records relating to decisions regarding your child's Section 504 identification, evaluation, and educational placement;

10. To obtain copies of your child's educational records at a reasonable cost unless the fee would effectively deny you access to the records;
11. To request changes in the educational program of your child;
12. To an impartial hearing if you disagree with the school district's decisions regarding your child's Section 504 identification, evaluation or educational placement. The costs for this hearing are borne by the local school district. You and the student have the right to take part in the hearing and to have an attorney represent you at your expense.
13. To file a court action if you are dissatisfied with the impartial hearing officer's decision or to request attorney's fees related to securing your child's rights under Section 504.
14. To file a local grievance with the designated Section 504 Coordinator to resolve complaints of discrimination other than those involving the identification, evaluation or placement of your child.
15. To file a formal complaint with the U.S. Department of Education, Office for Civil Rights.

The Section 504 Coordinator for this District is:

Director of Pupil Services  
Tolland High School  
1 Eagle Hill  
Tolland, CT 06084 Telephone: (860) 870-6818

For additional assistance regarding your rights under Section 504, you may contact:

Boston Regional Office  
Office for Civil Rights  
U.S. Department of Education  
33 Arch Street, Suite 900  
Boston, MA 02110-1491 Telephone: (617) 289-0111

U.S. Department of Education  
Office for Civil Rights  
550 12<sup>th</sup> Street, SW  
Washington, DC 20202-1100 Telephone: 1-800-421-3481

Connecticut State Department of Education  
Bureau of Special Education  
And Pupil Services  
P.O. Box 2219  
Hartford, CT 06145 Telephone: (860) 807-2030]



**Tolland Public Schools  
51 Tolland Green  
Tolland, CT 06084**

**Referral for 504 Assistance**

*Section 504 of the Rehabilitation Act of 1973 is designed to eliminate discrimination on the basis of disability in any program or activity receiving federal financial assistance. Students eligible for 504 assistance are those who 1) have a physical or mental impairment which substantially limits one or more major life activities, 2) have a record of such impairment or 3) are regarded as having such an impairment. If you think there is cause to suspect the student may qualify for civil rights protection under Section 504, please complete the following information.*

Student's name \_\_\_\_\_ Grade \_\_\_\_\_ Date \_\_\_\_\_

School \_\_\_\_\_ Birthdate \_\_\_\_\_ Gender  m  f

Parent(s) \_\_\_\_\_ Home Phone \_\_\_\_\_ Work Phone \_\_\_\_\_

Person submitting referral \_\_\_\_\_ position \_\_\_\_\_

Reason(s) for referral: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Pre-referral actions to address concerns: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature of person making referral: \_\_\_\_\_

Please return this form to your building 504 Coordinator.

Coordinator initials: \_\_\_\_\_ Date Received: \_\_\_\_\_

**Part 2**

**To be completed during 504 Referral Conference**

Special Education (IDEA-B) status: (check one box only)

- the student is eligible for special education under idea.
- the student will be referred for special education evaluation.
- no referral to special education is necessary. No evidence exists to indicate the presence of a disability as defined by idea.
- the student has been evaluated by the special education team and does not qualify for special education services.
- the student has received special education services in the past, but no longer requires special education. Please check services that were previously provided.
  - resource class             self-contained class             occupational therapy
  - guidance                     special school setting             physical therapy
  - speech/language             other \_\_\_\_\_

**Section 504**

The student is suspected of having a physical or mental impairment, has a record of such impairment or is regarded as having such impairment, which may substantially limit one or more of the following major life activities:

- caring for oneself             speaking             breathing
- performing manual tasks     seeing             learning
- walking                         hearing             working
- other \_\_\_\_\_

Action taken:

- the student will be evaluated for possible 504 accommodation. Evaluation assignments:

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- no further evaluation at this time. Explain.

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Additional comments: \_\_\_\_\_

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**Tolland Public Schools  
51 Tolland Green  
Tolland, CT 06084**

**Section 504  
Notice of Conference**

Date: \_\_\_\_\_

Dear: \_\_\_\_\_,

The student named below has been referred to the Tolland School District as possibly being eligible under Section 504 as having a disabling condition.

This letter is to provide you with written notice that a Section 504 committee meeting will be conducted. Your attendance at this meeting is welcomed, but not required by law.

Please call in advance if you plan to attend. The meeting may be rescheduled at a mutually agreed upon time and place.

Student: \_\_\_\_\_ Date of Meeting: \_\_\_\_\_

Location: \_\_\_\_\_ Time: \_\_\_\_\_

A. The purpose of this meeting: (check all that apply)

- |   |   |
|---|---|
| _____ review referral for 504 assistance                    | _____ discuss results of re-evaluation  |
| _____ discuss results of evaluation/section 504 eligibility | _____ discuss misconduct/infraction of school rules as it relates to disability |
| _____ review instructional progress                         | _____ review of placement   |
| _____ review of accommodation plan                          | _____ other (specify) _____   |

The following records/data will be discussed: \_\_\_\_\_

B. The following people will be included in the meeting: (write in names as appropriate)

1. School principal \_\_\_\_\_
2. Guidance counselor \_\_\_\_\_
3. Evaluation specialists \_\_\_\_\_
4. Other specialist(s) \_\_\_\_\_
5. Teacher(s) \_\_\_\_\_
6. School nurse \_\_\_\_\_
7. Parent(s) \_\_\_\_\_
8. Student \_\_\_\_\_
9. Other (specify) \_\_\_\_\_

**Tolland Public Schools  
51 Tolland Green  
Tolland, CT 06084**

**Section 504  
Notice of Conference**

If your child is determined to be eligible under Section 504, the committee will develop an accommodation plan to address your child's educational needs and make an appropriate placement.

For further information, we have included a description of Section 504 and the rights you and your child are entitled to under Section 504 of the Rehabilitation Act of 1973. If you have any questions or need additional information, please address your questions to:

Section 504 School Coordinator: \_\_\_\_\_

Phone number: \_\_\_\_\_

Section 504 parent/student rights enclosed with this notice.

8/25/04

**Tolland Public Schools  
51 Tolland Green  
Tolland, CT 06084**

**504  
Student Accommodation Plan**

Name: \_\_\_\_\_ DOB: \_\_\_\_\_ Grade: \_\_\_\_\_

School: \_\_\_\_\_ Date of Meeting: \_\_\_\_\_

Parent(s): \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

1. Describe the nature of the concern:
  
  
  
  
  
  
  
  
  
  
2. Describe the basis for the determination of handicap (if any):
  
  
  
  
  
  
  
  
  
  
3. Describe how the handicap affects a major life activity:
  
  
  
  
  
  
  
  
  
  
4. Minutes:
  
  
  
  
  
  
  
  
  
  
5. Participants (name and title)

**Tolland Public Schools**  
**504**  
**Student Accommodation Plan**

Student Name: \_\_\_\_\_

Describe the reasonable accommodations that are necessary:

Accommodations	Person(s) Responsible

Review/reassessment date: (must be completed) \_\_\_\_\_

Administrator's Signature \_\_\_\_\_ Date: \_\_\_\_\_

cc: Student's Cumulative File

Tolland Public Schools  
51 Tolland Green  
Tolland, CT 06084

504 Eligibility Determination  
(To be Completed by Eligibility Team Members)

Student's Name: \_\_\_\_\_ Grade: \_\_\_\_\_ Date: \_\_\_\_\_

Describe any evaluation procedures, tests, recommendation or documentation used as a basis for the decision:

- cognitive: (dated) \_\_\_\_\_  classroom observation: (dated) \_\_\_\_\_
- health/med: (dated) \_\_\_\_\_
- communication: (dated) \_\_\_\_\_  achievement: (dated) \_\_\_\_\_
- social/emotional/behavior: (dated) \_\_\_\_\_
- developmental: (dated) \_\_\_\_\_  adaptive: (dated) \_\_\_\_\_
- other: (dated) \_\_\_\_\_  motor: (dated) \_\_\_\_\_

Assessments/date:

Results/summary

_____	_____
_____	_____
_____	_____

Other sources of information (i.e. student work, teacher observation/s recommendations:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Nature of the substantially limiting major life activity: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Major life activity substantially limited by impairment:

\_\_\_\_\_ seeing \_\_\_\_\_ hearing \_\_\_\_\_ walking \_\_\_\_\_ speaking \_\_\_\_\_ learning \_\_\_\_\_ working

\_\_\_\_\_ performing manual tasks \_\_\_\_\_ caring for oneself

\_\_\_\_\_ does require a 504 plan

\_\_\_\_\_ does not require a 504 plan

Administrator/Coordinator Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**Section 504 Request for Mediation/Hearing**

Name of person requesting mediation/hearing: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_

Fax #: \_\_\_\_\_

I/we request a mediation/ hearing (please circle) concerning \_\_\_\_\_, \_\_\_\_\_

(Name of student)

(Date of Birth)

who resides at: \_\_\_\_\_ and attends \_\_\_\_\_

(Address)

(Name of School)

The date of the Section 504 meeting at which the parties failed to reach agreement: \_\_\_\_\_

Description of the issues in dispute between the parties:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Proposed resolution or corrective action you wish to see taken with regard to the stated issues:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Signature of Parent/Guardian

\_\_\_\_\_  
Date

**Section 504 Complaint Form**

1. Name of Parent/Complainant: \_\_\_\_\_

2. Date of Complaint: \_\_\_\_\_

3. Contact information for parent/complainant

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Home Tel. #)

\_\_\_\_\_  
(Cell # or Work #)

4. Name of the student (if applicable) \_\_\_\_\_

5. Address of student (if different from above:  
\_\_\_\_\_  
\_\_\_\_\_

6. Age/grade level/school (if applicable)  
\_\_\_\_\_

7. Please describe the nature of your complaint:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. If your complaint involves the identification, evaluation, or educational placement of a student, please describe the specific areas of disagreement and the proposed resolution of your concerns:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_