

Business/Non-Instructional Operations

Compliance with 504 Regulations

Policy:

It is the policy of the Region 14 School System to comply with all aspects of the Section 504 regulations of the Rehabilitation Act of 1973. Section 504 prevents discrimination against otherwise qualified individuals with disabilities in programs and activities operated by the school system.

No otherwise qualified individual with disabilities shall, solely by reason of her or his disability, as defined in Section 706(8) of the Rehabilitation Act, be denied the benefits of, or be subjected to discrimination under any program or activity conducted by the Region 14 School System.

The district has a responsibility to follow the procedural requirements of Section 504 to afford each student a free, appropriate education, which includes procedures for pre-placement evaluation, placement procedures and procedural safeguards. Additionally, Section 504 addresses placement in the LRE for both academic and nonacademic settings. The district also recognizes that there may be some impaired students who are not eligible for Special Education services under IDEA but who have documented disabilities and eligible for services and protection from discrimination under the Section 504 definitions and regulations.

In order to ensure that the Region 14 School System does not discriminate in providing equal access to programs and services on the basis of disability, the following definitions, requirements and procedures are provided.

Definitions:

Disability means limitation in performance from a physiological (physical or mental) abnormality which substantially limits one or more major life activity, has a record of such an impairment, is regarded as having such an impairment.

Physical or Mental Impairment means (i) any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more body system; (ii) any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness and specific learning disabilities.

Major Life Activity means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

Appropriate Education means the provision of regular or special education and related aids and services that are designed to meet the individual educational needs of people with disabilities as adequately as the needs of non-disabled persons. Implementation of an individualized education plan developed in accordance with the Individuals with Disabilities Act is one means of meeting this standard.

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Compliance with 504 Regulations (continued)

Committee of Knowledgeable People means persons knowledgeable about the child, the meaning of evaluation data, and programming options. (A properly constituted 504 Team would meet this definition.)

Requirements:

1. That Region 14 Public Schools annually locate and identify qualified persons with disabilities residing in the district who are not receiving a public education.
2. Notification of the school system's legal requirements is provided to persons with disabilities and their parents or guardians.
3. Provision of educational services in a setting with persons who are not disabled, to the maximum extent appropriate to the needs of the students with disabilities. The school system shall make reasonable accommodations to allow a disabled student placed in the regular education environment unless it is demonstrated that the education of the person in the regular environment with the use of supplementary aids and services, cannot be achieved satisfactorily.
4. Provide pre-placement evaluation consistent with that required under IDEA.
5. Ensure that placement decisions are carefully considered by a group of persons knowledgeable about the child, the meaning of the evaluation data and program options.
6. Provide periodic reevaluation of students found eligible for services.
7. Develop procedural safeguards consistent with that required under IDEA.
8. Ensure access to non-academic and extracurricular services and activities in such a manner as to afford students with disabilities an opportunity for participation in such services and activities. The "Committee of Knowledgeable People", e.g. 504 Team shall consider the impact of any modifications on other non-disabled classmates.
9. Ensure the availability of procedures for filing a grievance with the school district over an alleged violation of Section 504 regulations.
10. Identify at least one person to coordinate compliance and identification procedures.

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Procedures:

1. **Identification and Notification:** The Office of Special Services annually conducts child find activities to identify any person between the ages of 0-21 who is, or may be in need of special services. Notification is accomplished by communication through the media, direct mailing to social service agencies and dissemination to staff. (See Appendix #1 for Notification form)
2. **Least Restrictive Environment:** Each committee of knowledgeable people (504 Team) is aware of the district practice to ensure students are educated with their non-disabled peers as often as possible and in the most appropriate way. All programs are developed with this requirement in mind.
3. **Evaluation:** Referrals for evaluation are made by the 504 Team. All statutory requirements for evaluation are adhered to closely. The evaluation period will be the same as for referrals under IDEA (45 days).
4. **Placement/Program Development:** Each 504 meeting will reconvene at the conclusion of the evaluation to consider evaluation results, determine eligibility and develop appropriate programming. A written service plan is developed and maintained by the primary service provider. The plan is reviewed and/or updated throughout the school year as the child's needs warrant. All students who have undergone special education evaluations are automatically considered for eligibility under Section 504, i.e. for students who are not eligible for Special Education under IDEA, the 504 Team may consider eligibility under Section 504. Discussions of eligibility must be included in the record of the 504 meeting, including clearly delineated recommendations. (See Appendix #2 for Section 504 Service Plan.)
5. **Periodic Reevaluation:** All students receiving services under Section 504 are reevaluated at least every three years following procedures promulgated under IDEA and covered in this manual Special Services.
6. The Director of Special Services will be identified as the 504 Coordinator for the Region 14 School System. This individual will convene a Committee of Knowledgeable People (PPT) to address 504 referrals.

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7. **Grievance Procedures:** Students, parents or other individuals in the school district may register complaints regarding accessibility and other 504 regulations through the grievance procedures noted in Appendix #3.

(cf. - 5145 - Statement of Non-Discrimination)

Legal Reference: Connecticut General Statutes

10-15c Discrimination in public schools prohibited

Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 et. seq.

Section 504, U.S. Rehabilitation Act, 1973, 29 U.S.C. 791

NOTE: Forms relative to this Policy are available at:

1. Superintendent's Office
2. Principal's Office
3. Special Services Office

Policy adopted: June 18, 2018

REGIONAL SCHOOL DISTRICT NO. 14
Bethlehem and Woodbury, Connecticut

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Parents/Students Notification

REGARDING SECTION 504 RIGHTS IN IDENTIFICATION, EVALUATION AND PLACEMENT

The following is a description of the rights granted by federal law to students with handicaps. 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 to:

1. Have your child take part in, and receive benefits from public education programs without discrimination because of his/her handicapping condition. If you are identified as a handicapped parent, you also have the right to ask for reasonable accommodations so that you may participate in the planning of your child's educational program;
2. Have the school district advise you of your rights under federal law;
3. Receive notice with respect to identification, evaluation, or placement of your child;
4. Have your child receive a free and appropriate public education. This includes the right to be educated with non-handicapped students to the maximum extent appropriate. It also includes the right to have the school district make reasonable accommodations to allow your child an equal opportunity to participate in school and school related activities;
5. Have your child educated in facilities and receive services comparable to those provided non-handicapped students;
6. Have your child receive special education and related services if she/he is found to be eligible under the Individuals with Disabilities Act (IDEA) or Section 504 of the Rehabilitation Act;
7. Have evaluation, educational, and placement decisions made based upon a variety of information sources, and by persons who know the student, the evaluation data, and placement options;
8. Have transportation provided to and from school that allows your child to take part in educational services described by the Committee of Knowledgeable People, e.g. PPT.

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9. Have your child be given the equal opportunity to participate in non-academic and extra-curricular activities offered by the district;
10. Examine relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement;
11. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records;
12. A response from the school district to reasonable requests for explanations and interpretations of your child's records;
13. Request amendment of your child's educational records if there is reasonable cause to believe that they are inaccurate, misleading or otherwise in violation of the privacy rights of your child;
14. Request mediation or an impartial due process hearing related to decisions or actions regarding your child's identification, evaluation, educational program or placement. You and the student may take part in the hearing and have an attorney represent you. Hearing requests must be made to the State Department of Education;
15. File a local grievance.

The person in this district who is responsible for coordinating 504 compliance and identification procedures is the Director of Special Services. *(local district to insert name, location and telephone number.)*