

REGIONAL SCHOOL DISTRICT #17
NOTICE OF PARENT/STUDENT RIGHTS
UNDER SECTION 504 OF THE REHABILITATION ACT OF 1973

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 nondisabled 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. A physical or mental impairment is further defined as “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, genitor-urinary, hemic or lymphatic, skin or endocrine; or any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness and specific learning disabilities.”

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 the Federal law to student 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 to:

- Have your child take part in, and receive benefits from public education programs without discrimination because of his/her disabling conditions.
- Have the school district advise you of your rights under Section 504.
- Receive notice with respect to identification, evaluation, or placement of your child.
- Have your child receive a free appropriate public school education. This includes the right to be educated with non-disabled 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.
- Have your child educated in facilities and receive services comparable to those provided to non-disabled students.
- Have your child receive appropriate support services **if he/she is found to be eligible under section 504 of the Rehabilitation Act. In order for your child to receive special education services, he/she must be found eligible under the Individuals with Disabilities Education Act (IDEA).**
- Have evaluation, education, and placement decisions made based upon a variety of information sources and by persons who know the student, the evaluation data, and placement options. **Section 504 does not provide rights to an independent evaluation.**
- Have transportation provided to and from an alternative placement by the school district at no greater cost to you, if your child requires an alternative placement under Section 504.
- Request changes in the educational program of your child.

- Have your child given an equal opportunity to participate in non-academic and extracurricular activities offered by the district.
- Examine and receive a copy of all relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement.
- A response from the school district to reasonable requests for explanations and interpretations of your child's records.
- 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. If the school district refuses this request for amendment, it shall notify you within a reasonable period of time, and advise you of your right to a hearing.
- File a grievance with the designated Section 504 Coordinator to resolve complaints of discrimination other than those involving the identification, evaluation or placement of your child.
- File a grievance related to decisions or actions regarding your child's identification, evaluation, educational program or placement.
- Request a due process hearing related to decisions or actions regarding your child's identification, evaluation, education program or placement. You and the student may take part in the hearing and have an attorney represent you at your own expense. The cost of the hearing is borne by the school district. Hearing requests must be made to the district 504 Coordinator.
- 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 right under Section 504.
- File a formal complaint with the U.S. Department of Education, Office for Civil Rights.

The person in this district who is responsible for assuring the district complies with Section 504 is Dr. Aaron Puzarne, Section 504 Coordinator, Regional School District #17. His phone number is 860-345-4244.

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

Boston Regional Office for Civil Rights
U.S. Department of Education
J.W. McCormack Post Office and Courthouse
Boston, MA 02109 Telephone: 617-223-9662

U.S. Department of Education
Office for Civil Rights
330 C Street, S.W.
Washington, DC 20202 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: 860-713-6912

To be forwarded by the case manager to parents/guardian when the student is being referred/or further evaluation is needed.