

Regulation #5200
Americans with Disabilities Act/Section 504

**Madison Board of Education Section 504/ADA Grievance/Complaint
Procedures Regarding Discrimination Against Students on the Basis of Disability**

Section 504 of the Rehabilitation Act of 1973 (“Section 504”) and Title II of the Americans with Disabilities Act of 1990 (“Title II” or “ADA”) (collectively, “Section 504/ADA”) prohibit discrimination on the basis of disability. For the purposes of Section 504/ADA, 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.

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 [similarly](#) 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, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working. A major life activity also includes the operation of a major bodily function, such as the functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive systems. The operation of a major bodily function includes the operation of an individual organ within a body system.

Mitigating measures include, but are not limited to, (a) medication, medical supplies, equipment, appliances, low-vision devices (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics including limbs and devices, hearing aid(s) and cochlear implant(s) or other implantable hearing devices, mobility devices, oxygen therapy equipment and supplies; (b) use of assistive technology; (c) reasonable modifications or auxiliary aids or services; (d) learned behavioral or adaptive neurological modifications; or (e) psychotherapy, behavioral therapy, or physical therapy.

Physical or mental impairment is (a) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems, such as: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory,

47 hemic, lymphatic, skin, and endocrine; (b) any mental or psychological disorder, such as
48 intellectual disability, organic brain syndrome, emotional or mental illness, and specific
49 learning disability; or (c) an impairment that is episodic or in remission if it would
50 substantially limit a major life activity when active. Physical or mental impairment
51 includes, but is not limited to, contagious and noncontagious diseases and conditions such
52 as the following: orthopedic, visual, speech, and hearing impairments, and cerebral palsy,
53 epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes,
54 intellectual disability, emotional illness, dyslexia and other specific learning disabilities,
55 Attention Deficit Hyperactivity Disorder, Human Immunodeficiency Virus infection
56 (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

57
58 **II. Procedures for Grievances/Complaints Alleging Discrimination on the Basis**
59 **of Disability**

- 60
61 A. Any eligible person, including any student, parent/guardian, staff member
62 or other employee who feels ~~he/she~~ the individual has ~~that they have~~ been
63 discriminated against on the basis of disability (including differential
64 treatment, harassment and retaliation) may submit a written complaint to
65 the district’s designated Section 504/ADA Coordinator (*see* contact
66 information below) for the Madison Public Schools (the “District”) within
67 thirty (30) school days of the alleged occurrence. Complaints by students
68 and/or parents/guardians alleging discrimination involving students will be
69 investigated under these procedures; complaints by employees or other non-
70 students will be investigated under Administrative Regulation #4116.1 Sex
71 Discrimination and Sexual Harassment.
72
73 B. Timely reporting of complaints facilitates the prompt investigation and
74 resolution of such complaints. If a complaint is filed relating to alleged
75 discrimination occurring more than thirty (30) school days after the alleged
76 occurrence, the Board’s ability to investigate the allegations may be limited
77 by the passage of time. Therefore, complaints received after thirty (30)
78 school days of the alleged occurrence shall be investigated to the extent
79 possible, given the passage of time and the impact on available information,
80 witnesses and memory. If a complaint is made verbally, the individual
81 taking the complaint will reduce the complaint to writing.
82
83 C. At any time, when a complaint involves discrimination that is directly
84 related to a claim regarding the identification, evaluation or educational
85 placement of a student under Section 504, the complainant may request that
86 the Section 504/ADA Coordinator submit the complaint directly to an
87 impartial hearing officer and request a due process hearing in accordance
88 with Section III.D. Complaints regarding a student’s rights with respect to
89 ~~his/her~~ the student’s identification, evaluation or educational placement
90 shall be addressed in accordance with the procedures set forth below in
91 Section III.
92

- 93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
- D. Retaliation against any individual who complains pursuant to the Board’s policy and regulations listed herein is strictly prohibited. The ~~district~~ District will not tolerate any retaliation that ~~occur~~ occurs 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~~ cooperation in the investigation of a complaint. The ~~district~~ District will take necessary actions to prevent retaliation as a result of filing a complaint or the participation in an investigation of a complaint.

 - E. If the Section 504/ADA 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 in accordance with these procedures. If the Superintendent is the subject of the complaint, the Board shall designate an appropriate party to conduct the investigation in accordance with these procedures.

 - F. Complaints will be investigated promptly. 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.

 - G. If a disability discrimination complaint raises a concern about bullying behavior, the Section 504 Coordinator shall notify the Safe School Climate Specialist or designee who shall coordinate any bullying investigation with the Section 504 Coordinator, so as to ensure that any such bullying investigation complies with the requirements of applicable Board policies.

 - H. The 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 witnesses or individuals relevant the complaint;
 - 5. A detailed statement describing the circumstances in which the alleged discrimination occurred; and
 - 6. The 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.

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

- 139
140
141
142
143
|144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
|164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
|183
184
1. Provide a copy of the written complaint to the Superintendent of Schools;
 2. Meet separately with the complainant and the respondent within ten (10) school days to discuss the nature of the complaint, identify individuals the complainant and respondent believe have relevant information, and obtain any relevant documents the complainant [and respondent](#) may have;
 3. Provide the complainant and the respondent with a copy of the applicable Board Section 504/ADA Policy and these administrative regulations;
 4. Consider whether and which interim measures might be appropriate for an alleged victim and the respondent pending the outcome of the District's investigation;
 5. Conduct an investigation of the factual basis of the complaint that is adequate, reliable, and impartial, including conducting interviews with individuals with information and review of documents relevant to the complaint;
 6. Maintain confidentiality to the extent practicable throughout the investigative process in accordance with state and federal law;
 7. Communicate the outcome of the investigation in writing to the complainant, and to the respondent (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/ADA Coordinator or Superintendent. The written notice shall include a finding whether the complaint was substantiated and if so, shall identify how the ~~district~~ [District](#) will remedy any identified violations of Section 504/ADA. The investigator may extend this deadline for no more than fifteen (15) additional school days if needed to complete the investigation. The complainant and the respondent shall be notified of any such extension-;
 8. 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, and no later than fifteen (15) school days after the start of the following school year. The complainant and the respondent will receive notice if the investigation has been impeded by the summer recess, and interim measures may be implemented as necessary (see sub-paragraph 4);
 9. Ensure that appropriate corrective action is taken whenever allegations are verified. When allegations are verified, ensure that measures to remedy the effects of the discrimination and prevent its recurrence are appropriately considered, and offered, when appropriate. Corrective action should include steps to avoid continuing discrimination-;
 10. In the event the investigator concludes that there is no violation of Section 504/ADA, the ~~district~~ [District](#) may attempt to resolve the complainant's ongoing concerns, if possible.

185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229

J. If the complainant or the respondent is not satisfied with the findings and conclusions of the investigation, the ~~appealing~~ dissatisfied party may request review and reconsideration of the conclusion of the complaint (an “Appeal”) within thirty (30) days of receipt of the written outcome. In ~~requesting~~ review an Appeal, the appealing party must submit the complaint, the written outcome of the complaint, and explain why ~~he/she~~ such party ~~the appealing party~~ believes the factual information relied upon by the investigator was incomplete, the analysis of the facts was incorrect, and/or the appropriate legal standard was not applied, *and* how this information would change the investigator’s determination in the case. Failure to provide all such information may result in the denial of the ~~review~~ Appeal.

Upon review of ~~a written request~~ an Appeal from the appealing party, the Superintendent shall review the investigative results of the investigator and determine if further action and/or investigation is warranted, or shall appoint a designee to do so. Such action may include consultation with the investigator and other relevant witnesses, 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 or designee shall provide written notice to the appealing party and the other party of ~~his/her~~ the Superintendent or designee’s decision within ten (10) school days following the written request for review. When ~~a written request for review~~ an Appeal is received during summer recess, the Superintendent or designee shall conduct the review as quickly as possible given the availability of staff and/or other individuals who may have information relevant to the review, and no later than ten (10) school days after the start of the following school year. The Superintendent or designee’s decision shall be final.

III. Grievance/Complaint Resolution Procedures for Complaints Involving a Student’s Identification, Evaluation 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/ADA 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/ADA 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~~ District’s Section

230 504/ADA Coordinator (*see* contact information below) within thirty (30)
231 school days of the alleged date that the dispute regarding the student's
232 identification, evaluation and/or education placement arose. Timely
233 reporting of complaints facilitates the resolution of potential educational
234 disputes.

- 235
- 236 2. The complaint concerning a student's identification, evaluation or
237 educational placement should contain the following information:
- 238
- 239 a. Full name of the student, age, and grade level;
 - 240 b. Name of parent(s);
 - 241 c. Address and relevant contact information for parent/complainant;
 - 242 d. Date of complaint;
 - 243 e. Specific areas of disagreement relating to the student's identification,
244 evaluation and/or placement; and
 - 245 f. Remedy requested.
- 246

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

251

252 3. Complaints will be investigated promptly within timeframes identified
253 below. Timeframes may be extended as needed given the complexity of the
254 investigation, availability of individuals with relevant information and other
255 extenuating circumstances.

256

257 4. Upon receipt of the complaint, the Section 504/ADA Coordinator or the
258 Coordinator's designee shall:

- 259
- 260 a. Forward a copy of the complaint to the Superintendent of Schools;
 - 261
 - 262 b. Meet with the complainant within ten (10) school days to discuss the
263 nature of his/her the complainant's concerns and determine if an
264 appropriate resolution can be reached, or whether interim measures may
265 be appropriate. If a complaint is made during summer recess, the
266 complaint will be reviewed and addressed as quickly as possible given
267 the availability of staff and other individuals who may have information
268 relevant to the complaint, and no later than ten (10) school days after
269 the start of the following school year;
 - 270
 - 271 c. If, following such a meeting, further investigation is deemed necessary,
272 the Section 504/ADA Coordinator or designee shall promptly
273 investigate the factual basis for the complaint, consulting with any
274 individuals reasonably believed to have relevant information, including
275 the student and/or complainant; and

- 276
277 d. Communicate the results of ~~his/her~~ the investigation in writing to the
278 complainant and any persons named as parties to the complaint (to the
279 extent permitted by state and federal confidentiality requirements)
280 within fifteen (15) school days from the date the complaint was received
281 by the Section 504/ADA Coordinator or designee.
282
283 e. In the event that the Section 504/ADA Coordinator or designee has a
284 conflict of interest that prevents ~~him/her~~ such individual from serving
285 in this role, the complaint shall be forwarded to the Superintendent who
286 shall appoint an investigator who does not have a conflict of interest.

287 B. Review by Superintendent of Schools

- 288
289 1. If the complainant is not satisfied with the findings and conclusions of the
290 investigation, the ~~appealing- dissatisfied~~ party may present the complaint and
291 written outcome to the Superintendent for review and reconsideration (an
292 “Appeal”) within thirty (30) calendar days of receiving the findings. This
293 process provides an opportunity for the appealing party to bring information to
294 the Superintendent’s attention that would change the outcome of the
295 investigation. In submitting ~~the complaint and written outcome for review~~ an
296 Appeal, the appealing party must explain why ~~he/she~~ such party ~~they~~ believes
297 the factual information relied upon by the investigator was incomplete, the
298 analysis of the facts was incorrect, and/or the appropriate legal standard was not
299 applied, *and* how this information would change the investigator’s
300 determination in the case. Failure to provide all such information may result in
301 the denial of the ~~review~~ Appeal.
302
303 2. Upon review of a ~~written request~~ an Appeal from the appealing party, the
304 Superintendent shall review the investigative results of the investigator and
305 determine if further action and/or investigation is warranted, or appoint a
306 designee to do so. Such action may include consultation with the investigator
307 and other relevant witnesses, a meeting with appropriate individuals to attempt
308 to resolve the complaint or a decision affirming or overruling the investigator’s
309 conclusions or findings. The Superintendent or designee shall provide written
310 notice to the appealing party of ~~his/her~~ the Superintendent’s or designee’s
311 decision within ten (10) school days following the receipt of the ~~written request~~
312 for review Appeal, or if the ~~request~~ Appeal is received during summer recess,
313 as quickly as possible but no later than ten (10) school days after the start of the
314 following school year.
315
316 3. If the complainant is not satisfied with the Superintendent or designee’s
317 decision or proposed resolution, ~~he/she~~ such individual may request that the
318 Superintendent submit the matter to a neutral mediator or to an impartial
319 hearing officer. This request for mediation or a hearing should be made within
320 fifteen (15) school days of the Superintendent or designee’s decision.

C. Mediation Procedures:

1. A parent/guardian or student aged 18 or older may request mediation with a neutral mediator to attempt to resolve a disagreement with the decisions made by the professional staff of the ~~school-district~~ District with respect to the identification, evaluation or educational placement of the student.
2. A request for mediation regarding a student's identification, evaluation or educational placement under Section 504 should be forwarded to the ~~district~~ District's Section 504/ADA Coordinator within thirty (30) school days of the alleged date that the dispute regarding the student's identification, evaluation, and/or education placement arose or within fifteen (15) school days of the Superintendent's decision in reviewing a complaint handled through the grievance/complaint procedure described in Section III.B, above. Mediation shall only occur by mutual agreement of the parties.
3. The request for mediation concerning a disagreement relating to 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 and/or placement; and
 - f. Remedy requested.
4. Upon receipt of a request for mediation,
 - a. The Section 504/ADA Coordinator shall:
 - i. Forward a copy of the request for mediation to the Superintendent of Schools; and
 - ii. Inform the parent/guardian or student 18 years old or older as to whether the ~~district~~ District agrees to mediation in writing.
 - b. If the ~~district~~ District agrees to mediation, the Board shall retain a neutral mediator who is knowledgeable about the requirements of Section 504/ADA and has an understanding of a free appropriate public education ("FAPE") under Section 504 and the distinctions between and among Section 504, the ADA and the Individuals with Disabilities Education Act ("IDEA").
 - c. If the ~~district~~ District does not agree to mediation, the Section 504/ADA Coordinator shall inform the parent/guardian or student aged 18 or older of their right to request an impartial hearing.

- 367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
5. 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.
 6. 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.
 7. All statements, offers, or discussions and/or information shared during the mediation process, but not available from other means, shall be confidential, and may not be used in a subsequent hearing or other administrative or judicial proceeding related to the disagreement that is the subject of the mediation.
 8. If the parties are not able to reach a voluntary settlement of the dispute, the complainant may request an impartial hearing, as described below.

384 D. Impartial Hearing Procedures:

385
386 An impartial due process hearing is available to a parent/guardian of a student, or a
387 student aged 18 years of age or older, who disagrees with the decisions made by the
388 professional staff of the ~~school district~~ District with respect to the identification,
389 evaluation or educational placement of the student, or otherwise makes a claim of
390 discrimination relating to the identification, evaluation or educational placement of the
391 student.

- 392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
1. The request for a due process hearing concerning a disagreement relating to 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 and/or placement; and
 - f. Remedy requested.
 2. Upon receipt of a request for an impartial due process hearing, the Board shall retain an impartial hearing officer. The impartial hearing officer must be someone who is knowledgeable about the requirements of Section 504/ADA and has an understanding of a free appropriate public education ("FAPE") under Section 504 and the distinctions between and among Section 504, the ADA and the ("IDEA").
 3. The impartial hearing office shall schedule a pre-hearing conference with the District and the parent(s) or student aged 18 years of age or older (and/or legal

- 413 counsel for the student) to identify the issue(s) for hearing, set the hearing schedule
414 and address other administrative matters related to the hearing, including the option
415 for mediation.
416
- 417 4. The impartial hearing officer shall inform all parties involved of the date, time and
418 place of the hearing and of the right to present witnesses, other evidence and to be
419 represented by legal counsel at each party's own expense, if desired.
420
- 421 5. The impartial hearing officer shall hear all aspects of the complainant's complaint
422 concerning the identification, evaluation or educational placement of the student
423 and shall reach a decision within forty-five (45) school days of receipt of the request
424 for hearing. The decision shall be presented in writing to the complainant and to
425 the Section 504/ADA Coordinator. The impartial hearing officer's decision shall
426 be final.
427
- 428 6. An impartial hearing officer under Section 504 does not have jurisdiction to hear
429 claims alleging discrimination, harassment or retaliation based on an individual's
430 disability unless such a claim is *directly related* to a claim regarding the
431 identification, evaluation, or educational placement of a student under Section 504.
432
- 433 7. The time limits noted herein may be extended for good cause shown for reasons
434 including, but not limited to, permitting more time for thorough review of the
435 record, presentation of evidence or opportunity for resolution.
436

437 E. Drug/Alcohol Violations
438

439 If a student with a disability violates the Board's policies relative to the use or
440 possession of illegal drugs or alcohol, the Board may take disciplinary action against
441 such student for the student's illegal use or possession of drugs or alcohol to the same
442 extent that the Board would take disciplinary action against nondisabled students.
443 Such disciplinary action is not subject to the complaint or due process procedures
444 outlined above.
445

446 IV. The Section 504/ADA Coordinator for the District is:
447


448 Director of Special Education
449 10 Campus Drive
450 Madison, CT 06443
451 (203) 245-6341
452

453 V. Complaints to Federal Agencies
454

455 At any time, the complainant has the right to file a formal complaint with the:
456

457 U.S. Department of Education, Office for Civil Rights,
458 8th Floor, 5 Post Office Square, Suite 900,

459 Boston, MA 02109-0111
460 (617) 289-0111
461 <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>.
462
463
464



MADISON PUBLIC SCHOOLS

NOTICE OF PARENT/STUDENT RIGHTS
UNDER SECTION 504 OF THE REHABILITATION ACT OF 1973
AND TITLE II OF THE AMERICANS WITH DISABILITIES ACT OF 1990

Section 504 of the Rehabilitation Act of 1973 (“Section 504”) is a non-discrimination statute enacted by the United States Congress. Section 504 prohibits discrimination on the basis of disability by recipients of federal funds. Title II of the Americans with Disabilities Act (“ADA” or “Title II”) also prohibits discrimination on the basis of disability by state and local governments. To be protected under Section 504 and the ADA (“collectively, “Section 504/ADA”) as an individual with a disability, an individual must (1) have a physical or mental impairment that substantially limits one or more major life activities; (2) have a record of such an impairment; or (3) be regarded as having such an impairment.

Under Section 504, the ~~school district~~ Madison Public Schools (the “District”) has specific responsibilities to identify, evaluate and provide an educational placement for students with a disability. The ~~school district~~ District’s obligation includes providing such eligible students a 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 similarly imposed on nondisabled students/parents).

A student is eligible for regular or special education and related services under Section 504 if it is determined that ~~he/she—the student~~ has a mental or physical disability that substantially limits one or more 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~~ or 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 have a disability and be covered by Section 504/ADA even if ~~he/she—the student~~ does not qualify for, or receive, special education services under the IDEA.

The purpose of this notice is to provide parents/guardians and students 18 years of age or older 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 ~~School~~–District’s education programs without discrimination based on ~~his/her~~ your child’s disability;

- 510 3. For your child to have equal opportunities to participate in academic, nonacademic and
511 extracurricular activities in your school without discrimination based on your child's
512 disability;
- 513
514
- 515 4. To be notified of decisions and the basis for decisions regarding the identification,
516 evaluation, and educational placement of your child under Section 504;
- 517
- 518 5. If you suspect your child may have a disability, to request an evaluation, at no expense
519 to you and to have an eligibility determination under Section 504 (and if eligible,
520 placement decisions made) by a team of persons who are knowledgeable of your child,
521 the assessment data, and any placement options;
- 522
- 523 6. If your child is eligible for services under Section 504, for your child to receive a free
524 appropriate public education (FAPE). This includes the right to receive regular or
525 special education and related services that are designed to meet the individual needs of
526 your child as adequately as the needs of students without disabilities are met;
- 527
- 528 7. For your child to receive reasonable accommodations and services to allow your child
529 an equal opportunity to participate in school, extra-curricular and school-related
530 activities;
- 531
- 532 8. For your child to be educated with peers who do not have disabilities to the maximum
533 extent appropriate;
- 534
- 535 9. To have your child educated in facilities and receive services comparable to those
536 provided to non-disabled students;
- 537
- 538 10. To review all relevant records relating to decisions regarding your child's Section 504
539 identification, evaluation, and educational placement;
- 540
- 541 11. To examine or obtain copies of your child's educational records at a reasonable cost
542 unless the fee would effectively deny you access to the records;
- 543
- 544 12. To request changes in the educational program of your child, to have your request and
545 related information considered by the team, a decision made by the team, and if denied,
546 an explanation for the team's decision/determination;
- 547
- 548 13. To request an impartial due process hearing if you disagree with the ~~school district~~
549 [District's](#) decisions regarding your child's Section 504 identification, evaluation or
550 educational placement. The costs for this hearing are borne by the ~~local school district~~
551 [District](#). You and the student have the right to take part in the hearing and to have an
552 attorney represent you at your expense;
- 553
- 554 14. To file a local grievance/complaint with the ~~district~~ [District's](#) designated Section
555 504/ADA Coordinator to resolve complaints of discrimination including, but not

556 limited to, claims of discrimination directly related to the identification, evaluation or
557 placement of your child; and

558

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

561

562 The Section 504/ADA Coordinator for this district is:

563

564 **Director of Special Education**

565 **10 Campus Drive**

566 **Madison, CT 06443**

567 **(203) 245-6341**

568

569 For additional assistance regarding your rights under Section 504 and Title II of the
570 Americans with Disabilities Act, you may contact:

571

572 Office for Civil Rights, Boston Office

573 U.S. Department of Education

574 8th Floor

575 5 Post Office Square

576 Boston, MA 02109-0111

577 (617) 289-0111.

578

579