

COLCHESTER 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 education 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 non disabled 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 a major life activity such as(but not limited to) caring fro 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 parent/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 Colchester 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. 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 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:

Dr. Kelly McNamara
Director of Pupil Services
380 Norwich Ave.
Colchester, CT 06415
860-537-3103

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

Boston Regional Office
Office for Civil Rights
U.S. Department of Education
J.W. McCormack Post Office and
Courthouse
Boston, MA 02109

Telephone: (617) 223-9662

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

Telephone: (860) 807-2030

