

TOLLAND BOARD OF EDUCATION
Tolland High School Library
One Eagle Hill
Tolland, CT 06084

SPECIAL MEETING

7:30 – 10:00 P.M.

AGENDA
March 5, 2014

VISION STATEMENT

To represent education at its best, preparing each student for an ever-changing society, and becoming a full community of learning where excellence is achieved through each individual's success.

A. CALL TO ORDER, PLEDGE OF ALLEGIANCE

B. PUBLIC PARTICIPATION (2 minute limit)

The members of the Tolland Board of Education welcome members of the public to share their thoughts and ideas at this time. When appropriate to do so, members of the Board and the administration may respond to comments during "Points of Information". However, in consideration of those in attendance and in an effort to proceed in a timely manner, follow-up discussion may need to take place outside of the meeting setting.

C. POINTS OF INFORMATION

D. SUPERINTENDENT'S REPORT

- Professional Learning and Evaluation Plan
- Board Policies
 - Policy and Administrative Regulation 5060 – Non-Discrimination (students)
 - Policy and Administrative Regulation 5171 – Section 504 of the Rehabilitation Act of 1973
- Request For Authorization To Transfer Funds
- Change of Board Meeting Dates – March 26 and April 23
- 2014/2015 Board of Education Budget – Continued Discussion and Update

E. COMMITTEE & LIAISON REPORTS

F. CHAIRPERSON'S REPORT

G. BOARD ACTION

H. PUBLIC PARTICIPATION (2 minute limit)

Comments must be limited to items on this agenda.

I. POINTS OF INFORMATION

J. CORRESPONDENCE

February 18, 2014 – NEASC Accreditation

K. FUTURE AGENDA ITEMS

L. Executive Session – Personnel Matters

M. Adjournment

TO: Members of the Board of Education

FROM: William D. Guzman

DATE: February 26, 2014

SUBJECT: Professional Learning and Evaluation Plan – Status Report

During the current school year, both teachers and administrators began a new, state approved, "Professional Learning and Evaluation" process. Teachers of language arts, math, science, and social studies were the first cohort implementing the full plan as were the principals and District Directors. Other teachers and the assistant principals will begin the full process in the 2014-2015 school year.

As part of the state waiver from the "No Child Left Behind" legislation, Connecticut produced guidelines for a new Connecticut State Department of Education teacher evaluation plan. Using these state guidelines, a Tolland Public Schools evaluation plan was created by administrators and the district School Improvement Committee. This was approved by the Board of Education and the State Department of Education in June of 2013. Subsequently, the use of state testing (SBAC) results were "decoupled" from the teacher's evaluation for the 2013-2014 school year. With this, a needed change was made to Tolland's plan, which was approved by the Board of Education and approved by the State in October of 2013.

On February 6, 2014, the State Board of education approved provisions for flexibility regarding several components of Connecticut guidelines for Education Evaluation (2012). These flexibility provisions include the following changes:

- Changes in the numbers and types of observations and data collected for the first and subsequent years of the evaluation plan, and
- A waiver to "decouple" the 2014-2015 SBAC test from inclusion in a teacher's evaluation and a waiver from possible use of the SBAC test in measuring the success of a teacher's student learning goals.
- An additional rubric for the evaluation of non-classroom staff (psychologists, school counselors, speech and language pathologists, social workers, etc.)

At the Board of Education meeting, a review of the requested changes to the Tolland Teachers Professional Learning and Education Plan will be presented.



Professional Learning and Evaluation

Components

- **Performance and Practice Related Indicators = 50%**
 - Growth in performance and practice
 - Growth in interactions with peers
- **Student Outcome Related Indicators = 50%**
 - Growth in student learning
 - Growth in interactions with students

Performance and Practice

50%

Growth in Performance and Practice (40%)

- Choice to do fewer teachers in the first year of implementation. We chose 50%. The rest are on the old plan and will begin the new evaluation next fall.
- Observations and ratings against a teacher practice rubric (State Developed)
- Separate rubrics for classroom teachers and specialists
- Data and matching to the rubric is done in BloomBoard
- Three conferences (other than observations) each year for each teacher

Performance and Practice

50%

Growth in interactions with peers (10%)

- Teachers (peers) gathering collective information about a practice
- Working on this practice as a building
- Teachers measuring progress on the practice at the end of the year

Additions and Changes to Performance and Practice

6/21/13 Plan	2/26/14 Plan
Three formal observations involving pre and post conferences in the first year of implementation	Two formal observations in first year and one review of practice (if previously judged competent)
One formal observation each year after the first year of implementation	*One formal observation every three years for proficient or exemplary teachers *At least thirty minutes of observations with written and/or verbal feedback in the years when there is no formal observation
Two reviews of practice each year after the first year of implementation	A review of practice each year after the first year of implementation
No Specialist rubric	Specialist rubric

Components

- **Performance and Practice Related Indicators = 50%**
 - Growth in performance and practice = 40%
 - Growth in interactions with peers = 10%
- **Student Outcome Related Indicators = 50%**
 - Growth in student learning = 45%
 - Growth in interactions with students = 5%

Student Outcomes

50%

Growth in student learning (45%)

- 22.5% based on student learning objectives measured by state tests, if applicable, or another standardized measures, if available
- 22.5% based on student learning objectives measured by an additional standardized measure or a standards-based measure

Student Outcomes

Improvement in a whole school student learning indicator (5%)

- Building wide goal for students
- Based on feedback from administrative "Stakeholder Survey"
- Generally focused on Climate

Changes to Student Outcomes

6/21/13	2/26/14
22.5% of a teacher's evaluation based on growth of their students as measured by the state test, SBAC, or a standardized measure	Evaluation not based on student growth as measured by the state test, SBAC, until 2015-2016 school year
22.5% of a teacher's evaluation based on growth of their students may be measured by a standardized measure and must use a non-standardized indicator	May use a maximum of one standardized measure <u>other than state test for the 2014-2015 academic year</u> , if available, and must use a non-standardized indicator

Administrator Evaluation

Leadership Performance and Practice

- Performance and Practice = 40%
- Stakeholder Feedback = 10%

Student and Teacher Outcomes

- Student Learning = 45%
- Teacher Effectiveness = 5%

Leadership Performance and Practice

50%

- Performance and Practice = 40%
 - Rubric based
 - Observations
- Stakeholder Feedback = 10%
 - Survey for parents, staff and students

Student and Teacher Outcomes

- Student Learning = 45%
 - School Performance Index = 22.5%
 - Locally Determined Measure = 22.5%
- Teacher Effectiveness = 5%
 - Teacher SMART goals attainment

TO: Members of the Board of Education

FROM: William D. Guzman

DATE: February 26, 2014

SUBJECT: Board Policies:

**Policy and Administrative Regulation 5060 – Non-Discrimination
(students)**

**Policy and Administrative Regulation 5171 – Section 504 of the
Rehabilitation Act of 1973**

Attached please find the above referenced Board Policies. These policies were reviewed by the Policy Committee on February 19, 2014. The language to be deleted is in brackets and new language is in uppercase and bolded.

Board Policy 5060 – Non-Discrimination (students)

A minor change was made to this policy to explicitly provide that a board of education will not discriminate on basis of any other basis protected by state or federal law, regardless of whether such classification is listed explicitly in policy. In addition, investigation/grievance procedures were modified for consistency with best practices and Office of Civil Rights (OCR) guidance in this area.

Board Policy 5171 – Section 504 of the Rehabilitation Act of 1973

These revisions reflect changes suggested by the Office of Civil Rights regarding complaint investigation and compliance efforts. The policy has been updated for clarity and consistency.

Administrative Regulations 5060 and 5171 are enclosed for your information and do not require Board approval.

The Committee recommends approval of the revisions to Board policies 5060 and 5071.

WDG:jp

TOLLAND PUBLIC SCHOOLS
Tolland, Connecticut

BOARD POLICY

REGARDING: Non-Discrimination (Students)

Number: 5060
Students

Approved: 2/28/01
Revised: 6/13/07
Revised: 3/14/12
Revised:

The Board of Education complies with all applicable federal, state and local laws prohibiting the exclusion of any person from any of its educational programs or activities, or the denial to any person of the benefits of any of its educational programs or activities because of race, color, religion, age, gender, marital status, sexual orientation, national origin, ancestry, disability [including] pregnancy, or gender identity or expression, subject to the conditions and limitations established by law.

IT IS THE POLICY OF THE BOARD THAT ANY FORM OF DISCRIMINATION OR HARASSMENT ON THE BASIS OF RACE, RELIGION, COLOR, NATIONAL ORIGIN, SEX, SEXUAL ORIENTATION, MARITAL STATUS, AGE, DISABILITY, PREGNANCY OR GENDER IDENTITY OR EXPRESSION IS PROHIBITED, WHETHER BY STUDENTS, BOARD EMPLOYEES OR THIRD PARTIES SUBJECT TO THE CONTROL OF THE BOARD. THE BOARD'S PROHIBITION OF DISCRIMINATION OR HARASSMENT IN ITS EDUCATIONAL PROGRAMS OR ACTIVITIES EXPRESSLY EXTENDS TO ACADEMIC, NONACADEMIC AND EXTRACURRICULAR ACTIVITIES, INCLUDING ATHLETICS. IT IS ALSO THE POLICY OF THE BOARD TO PROVIDE FOR THE PROMPT AND EQUITABLE RESOLUTION OF COMPLAINTS ALLEGING ANY DISCRIMINATION ON THE BASIS OF PROTECTED CHARACTERISTICS SUCH AS RACE, COLOR, RELIGION, AGE, SEX, SEXUAL ORIENTATION, MARITAL STATUS, NATIONAL ORIGIN, DISABILITY, PREGNANCY, GENDER IDENTITY OR EXPRESSION.

For the purposes of this policy, "gender identity or expression" means a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and

uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held, part of a person's core identity or not being asserted for an improper purpose.

Legal Reference:

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

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, *et seq.*

Americans with Disabilities Act, 42 U.S.C. § 12101, *et seq.*

Connecticut General Statutes § 10-15c and § 46a-81a, *et seq.* -
Discrimination on basis of sexual orientation

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, *et seq.*

[Public Act 11-55 An Act Concerning Discrimination]

TOLLAND PUBLIC SCHOOLS
Tolland, Connecticut

ADMINISTRATIVE REGULATION

REGARDING: DISCRIMINATION
COMPLAINTS(STUDENTS)

Number: 5060
Students

APPROVED: 5/23/07
REVISED: 3/14/12
REVISED:

IT IS THE POLICY OF THE BOARD OF EDUCATION THAT ANY FORM OF DISCRIMINATION OR HARASSMENT ON THE BASIS OF PROTECTED CHARACTERISTICS SUCH AS RACE, COLOR, RELIGION, AGE, SEX, SEXUAL ORIENTATION, MARITAL STATUS, NATIONAL ORIGIN, DISABILITY (INCLUDING PREGNANCY), OR GENDER IDENTITY OR EXPRESSION IS FORBIDDEN, WHETHER BY STUDENTS, BOARD EMPLOYEES OR THIRD PARTIES SUBJECT TO THE CONTROL OF THE BOARD. STUDENTS, BOARD EMPLOYEES AND THIRD PARTIES ARE EXPECTED TO ADHERE TO A STANDARD OF CONDUCT THAT IS RESPECTFUL OF THE RIGHTS OF STUDENTS.

IT IS ALSO THE POLICY OF THE BOARD TO PROVIDE FOR THE PROMPT AND EQUITABLE RESOLUTION OF COMPLAINTS ALLEGING ANY DISCRIMINATION ON THE BASIS OF PROTECTED CHARACTERISTICS SUCH AS RACE, COLOR, RELIGION, AGE, SEX, SEXUAL ORIENTATION, MARITAL STATUS, NATIONAL ORIGIN, DISABILITY (INCLUDING PREGNANCY), OR GENDER IDENTITY OR EXPRESSION.

IF THE COMPLAINT INVOLVES AN ALLEGATION OF DISCRIMINATION BASED ON DISABILITY OR SEX, THE COMPLAINANT SHOULD BE REFERRED TO THE BOARD'S POLICIES AND PROCEDURES RELATED TO SECTION 504 OF THE REHABILITATION ACT/AMERICANS WITH DISABILITIES ACT (ADA) (FOR CLAIMS OF DISCRIMINATION AND/OR HARASSMENT BASED ON DISABILITY) AND SEX DISCRIMINATION/SEXUAL HARASSMENT (FOR CLAIMS OF DISCRIMINATION AND/OR HARASSMENT BASED ON SEX).

ALL OTHER COMPLAINTS BY A STUDENT OR OTHER INDIVIDUALS ALLEGING DISCRIMINATION ON THE BASIS OF THE PROTECTED CHARACTERISTICS LISTED HEREIN SHOULD FILE A WRITTEN COMPLAINT WITH:

SUPERINTENDENT OF SCHOOLS
51 TOLLAND GREEN
TOLLAND, CT 06084
860-870-6850

PREFERABLY, COMPLAINTS SHOULD BE FILED WITHIN (30) DAYS OF THE ALLEGED OCCURRENCE. TIMELY REPORTING OF COMPLAINTS FACILITATES THE INVESTIGATION AND RESOLUTION OF SUCH COMPLAINTS. THE DISTRICT WILL INVESTIGATE SUCH COMPLAINTS PROMPTLY AND EQUITABLY, AND WILL TAKE CORRECTIVE ACTION WHEN ALLEGATIONS ARE VERIFIED.

THE DISTRICT WILL NOT TOLERATE AND REPRISALS OR RETALIATION THAT OCCUR AS A RESULT OF THE GOOD FAITH REPORTING OF CHARGES OF HARASSMENT OR DISCRIMINATION ON THE BASIS OF RACE, COLOR, RELIGION, AGE, SEX, SEXUAL ORIENTATION, MARITAL STATUS, NATIONAL ORIGIN, DISABILITY (INCLUDING PREGNANCY), OR GENDER IDENTITY OR EXPRESSION. ANY SUCH REPRISALS OR RETALIATION WILL RESULT IN DISCIPLINARY ACTION AGAINST THE RETALIATOR, AND OTHER CORRECTIVE ACTIONS AS APPROPRIATE.

THE SCHOOL DISTRICT WILL PERIODICALLY PROVIDE STAFF DEVELOPMENT FOR DISTRICT ADMINISTRATORS AND PERIODICALLY DISTRIBUTE THIS POLICY AND THE IMPLEMENTING ADMINISTRATIVE REGULATIONS TO STAFF AND STUDENTS IN AN EFFORT TO MAINTAIN AN ENVIRONMENT FREE OF HARASSMENT AND DISCRIMINATION.

COMPLAINT PROCEDURE

AS SOON AS AN INDIVIDUAL FEELS THAT HE OR SHE HAS BEEN SUBJECTED TO DISCRIMINATION OR HARASSMENT ON THE BASIS OF RACE, COLOR, RELIGION, AGE, SEX, SEXUAL ORIENTATION, MARITAL STATUS, NATIONAL ORIGIN, DISABILITY (INCLUDING PREGNANCY), OR GENDER IDENTITY OR EXPRESSION, HE/SHE SHOULD MAKE A WRITTEN COMPLAINT TO WILLIAM G. GUZMAN OR TO THE BUILDING PRINCIPAL, OR HIS/HER DESIGNEE. THE STUDENT WILL BE PROVIDED A COPY OF THE BOARD'S POLICY AND REGULATION AND MADE AWARE OF HIS OR HER RIGHTS.

THE COMPLAINT SHOULD STATE THE:

- A. NAME OF THE COMPLAINANT,
- B. DATE OF THE COMPLAINT,
- C. DATE(S) OF THE ALLEGED HARASSMENT/DISCRIMINATION,
- D. NAME(S) OF THE HARASSER(S) OR DISCRIMINATOR(S)
- E. LOCATION WHERE SUCH HARASSMENT/DISCRIMINATION OCCURRED,
- F. NAMES OF ANY WITNESS(ES) TO THE HARASSMENT/DISCRIMINATION, AND
- G. DETAILED STATEMENT OF THE CIRCUMSTANCES CONSTITUTING THE ALLEGED HARASSMENT/DISCRIMINATION.

ANY STUDENT WHO MAKES AN ORAL COMPLAINT OF HARASSMENT OR DISCRIMINATION TO ANY OF THE ABOVE-MENTIONED PERSONNEL WILL BE PROVIDED A COPY OF THIS REGULATION AND WILL BE REQUESTED TO MAKE A WRITTEN COMPLAINT PURSUANT TO THE ABOVE PROCEDURE, IF A STUDENT (OR INDIVIDUAL ACTING ON BEHALF OF THE STUDENT) IS UNABLE TO MAKE A WRITTEN COMPLAINT, THE ADMINISTRATOR RECEIVING THE ORAL COMPLAINT WILL EITHER REDUCE THE COMPLAINT TO WRITING OR ASSIST THE STUDENT (INDIVIDUAL ACTING ON BEHALF OF THE STUDENT) IN COMPLETING THE WRITTEN COMPLAINT FORM.

ALL COMPLAINTS ARE TO BE FORWARDED IMMEDIATELY TO THE SUPERINTENDENT OR HIS/HER DESIGNEE. UPON RECEIPT OF A COMPLAINT ALLEGING HARASSMENT OR DISCRIMINATION UNDER THIS COMPLAINT PROCEDURE, THE SUPERINTENDENT SHALL DESIGNATE A DISTRICT OR SCHOOL ADMINISTRATOR TO PROMPTLY

INVESTIGATE THE COMPLAINT. DURING THE COURSE OF THE INVESTIGATION, THE INVESTIGATOR SHALL INTERVIEW OR CONSULT WITH ALL INDIVIDUALS REASONABLY BELIEVED TO HAVE RELEVANT INFORMATION, INCLUDING THE COMPLAINANT, THE ALLEGED HARASSER/DISCRIMINATOR AND ANY WITNESSES TO THE CONDUCT. COMPLAINTS WILL BE INVESTIGATED PROMPTLY WITHIN THE 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.

UPON RECEIPT OF A WRITTEN COMPLAINT OF DISCRIMINATION, THE INVESTIGATOR SHOULD:

1. OFFER TO 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;
2. PROVIDE THE COMPLAINANT WITH A COPY OF THE BOARD'S ANTIDISCRIMINATION POLICY AND ACCOMPANYING REGULATIONS;
3. INVESTIGATE THE FACTUAL BASIS OF THE COMPLAINT, INCLUDING, AS APPLICABLE, CONDUCTING INTERVIEWS WITH INDIVIDUALS DEEMED RELEVANT TO THE COMPLAINT;
4. CONDUCT THE INVESTIGATION IN A CONFIDENTIAL MANNER, TO THE EXTENT PRACTICABLE, ADHERING TO THE REQUIREMENTS OF STATE AND FEDERAL LAW;
5. 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 THIRTY (30) SCHOOL DAYS FROM THE DATE THE COMPLAINT WAS RECEIVED BY THE SUPERINTENDENT'S OFFICE. 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, TO THE EXTENT POSSIBLE, HOW THE DISTRICT WILL REMEDY THE DISCRIMINATION OR HARASSMENT, ADHERING TO THE REQUIREMENTS OF STATE AND FEDERAL LAW;
6. TAKE CORRECTIVE AND/OR DISCIPLINARY ACTION AIMED AT PREVENTING THE RECURRENCE OF THE HARASSMENT OF DISCRIMINATION, AS DEEMED APPROPRIATE BY THE SUPERINTENDENT OR HIS/HER DESIGNEE;
7. 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 WITHIN THIRTY (30) CALENDAR DAYS OF RECEIVING THE FINDINGS. UPON REVIEW OF A WRITTEN REQUEST FROM THE COMPLAINANT, THE SUPERINTENDENT SHALL REVIEW THE INVESTIGATIVE RESULTS OF THE INVESTIGATOR 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 WITH FIFTEEN (15) SCHOOL DAYS FOLLOWING THE RECEIPT OF THE WRITTEN REQUEST OR REVIEW.

AT ANY TIME, A COMPLAINANT ALLEGING RACE, COLOR OR NATIONAL ORIGIN DISCRIMINATION OR HARASSMENT HAS THE RIGHT TO FILE A FORMAL COMPLAINT WITH THE U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS, 8TH FLOOR, 5 POST OFFICE SQUARE, SUITE 900, BOSTON, MA 02109-0111 (TELEPHONE NUMBER (617) 289-0111).

[It is the express policy of the Tolland Board of Education to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of protected characteristics such as race, color, religion, age, gender, sexual orientation, marital status, national origin, ancestry, disability (including pregnancy), or gender identity or expression. In order to facilitate the timely resolution of such complaints any student who feels that he/she has been discriminated against on the basis of these protected characteristics should file a written complaint with:

**OFFICE OF THE SUPERINTENDENT OF SCHOOLS
51 TOLLAND GREEN
TOLLAND, CT 06084**

Timely reporting of complaints facilitates the investigation and resolution of such complaints. Therefore, complaints should be filed within thirty (30) days of the alleged occurrence.

Complaints will be investigated promptly and corrective action will be taken when allegations are verified.

Specifically, upon receipt of a written complaint of discrimination, the superintendent and/or his or her designee should:

1. Offer to meet with the complainant to discuss the nature of his/her complaint;
2. Provide the complainant with a copy of the Board's anti-discrimination policy and accompanying regulations;
3. Investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals deemed relevant to the complaint;
4. Conduct the investigation in a confidential manner, to the extent practicable, adhering to the requirements of state and federal law;

5. Communicate the findings and/or results of any investigation to the complainant; and
6. Take appropriate corrective and disciplinary action, as deemed appropriate by the superintendent and/or his or her designee.

If the complaint involves an allegation of discrimination based on disability or or sex, the complainant should be referred to the Board's policies and procedures related to Section 504 of the Rehabilitation Act (for claims of discrimination and/or harassment based on disability) and sex discrimination/sexual harassment (for claims of discrimination and/or harassment based on gender).

For allegations pertaining to race, color or national origin discrimination, at any stage in this complaint procedure, the complainant has the right to file formal complaints regarding such matters with:

**BOSTON OFFICE
OFFICE OF CIVIL RIGHTS
U.S. DEPARTMENT OF EDUCATION
8 Floor, 5 Post Office Square
SUITE 900
BOSTON, MA 02109-3921
TEL. (617) 289-0111
OCR.BOSTON@ED.GOV**

If a complaint is filed with the Office of Civil Rights, it must be filed in writing no later than one hundred eighty (180) days after the occurrence of the alleged discrimination.]

DISCRIMINATION COMPLAINT FORM

(For complaints based on race, color, religion, age, gender, marital status, sexual orientation, national origin, ancestry, or disability)

Name of the complainant _____

Date of the complaint _____

Date of the alleged discrimination _____

Name or names of the discriminator(s)

Location where such discrimination
occurred _____

Name(s) of any witness(es) to the discrimination/harassment

Detailed statement of the circumstances constituting the alleged discrimination

TOLLAND PUBLIC SCHOOLS
Tolland, Connecticut

BOARD POLICY

REGARDING: Section 504 of the Rehabilitation Act of
1973

Number: 5171
Students

Approved: 2/28/01
Revised: 10/22/03
Revised: 6/25/08
Revised: 5/27/09

REVISED:

Section 504 is an Act which prohibits discrimination against persons with a disability in any program receiving Federal financial assistance. **FOR THE PURPOSES OF SECTION 504, THE TERM** [The Act defines a] disability with respect to an individual [as] **MEANS:**

1. **HAVE** a physical or mental impairment that substantially limits one or more major life activities of such individual; or
2. **HAVE** a record of such an impairment; or
3. **BE** [being] regarded as having such an impairment.

In order to fulfill its obligation under Section 504, the Tolland Public Schools recognize a responsibility to avoid discrimination in policies and practices regarding its personnel, students, parents and members of the public who participate in school sponsored programs. In this regard, the Tolland Public Schools [will not knowingly permit] **PROHIBITS** discrimination against any person with a disability in any of the programs operated by the school system. [Persons who feel that they may have been discriminated against on the basis of disability should contact the Tolland Public Schools Section 504 Coordinator.]

The school district has specific responsibilities under the Act, [with respect] to providing access to **FREE** appropriate [educational services] **PUBLIC EDUCATION (FAPE)** for students [who qualify under section 504. These responsibilities include the obligation to identify, to evaluate, and to afford access to appropriate educational services.] **DETERMINED TO BE ELIGIBLE UNDER SECTION 504. UNDER SECTION 504, FAPE IS DEFINED 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 A STUDENT WITHOUT DISABILITIES ARE MET, AND THAT ARE PROVIDED WITHOUT COST (EXCEPT FOR FEES IMPOSED ON NONDISABLED STUDENTS/PARENTS). If the parent or guardian **OF A STUDENT** disagrees with the decisions made by the professional staff of the school district with respect to the identification, evaluation, or educational placement of [their child he/she has a right to an impartial hearing. Additional written information about an impartial hearing is available from the Section 504 coordinator.] **HIS/HER CHILD, A PARENT/GUARDIAN HAS A RIGHT TO UTILIZE THE COMPLAINT PROCEDURES OUTLINED IN THE BOARD'S ADMINISTRATIVE REGULATIONS, AND/OR MAY FILE A COMPLAINT WITH THE OFFICE OF CIVIL RIGHTS, U.S. DEPARTMENT OF EDUCATION.**

ANY STUDENT, PARENT, GUARDIAN OR OTHER INDIVIDUAL WHO BELIEVES HE/SHE HAS BEEN DISCRIMINATED AGAINST BY OR WITHIN THE DISTRICT ON THE BASIS OF A DISABILITY MAY UTILIZE THE COMPLAINT PROCEDURES OUTLINED IN THE BOARD'S ADMINISTRATIVE REGULATIONS, AND/OR MAY FILE A COMPLAINT WITH THE OFFICE OF CIVIL RIGHTS, U.S. DEPARTMENT OF EDUCATION.

[Please] **ANYONE WHO WISHES TO FILE A COMPLAINT, OR WHO HAS QUESTIONS OR CONCERNS ABOUT THIS POLICY, SHOULD** contact Kathleen Raymond Director of Pupil Services, § 504 Coordinator for the Tolland Public Schools, at phone number 870-6818 [with any additional questions or concerns about this policy.]

LEGAL REFERENCES: 29 U.S.C. § 794
34 C.F.R. § 104 ET SEQ
42 U.S.C. 12101 Et Seg.
ADA Amendments of 2008, Public Law 110-325

PROTECTING STUDENTS WITH DISABILITIES, FREQUENTLY ASKED QUESTIONS ABOUT SECTION 504 AND THE EDUCATION OF CHILDREN WITH DISABILITIES, OFFICE OF CIVIL RIGHTS (MARCH 27, 2009), AVAILABLE AT
[HTTP://WWW.ED.GOV/ABOUT/OFFICES/LIST/OCR/504FAQ.HTML](http://www.ed.gov/about/offices/list/ocr/504faq.html)

DEAR COLLEAGUE LETTER, UNITED STATES DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS (JANUARY 19, 2012)

TOLLAND PUBLIC SCHOOLS
Tolland, Connecticut

ADMINISTRATIVE REGULATION

REGARDING: Section 504 of the
Rehabilitation Act of 1973

Number: 5171
Students

Approved: 6/13/07
REVISED:

**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 ADDRESSED 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 COMPLAINT;
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, 8TH 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
8th 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 of 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 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:*

Kathleen Raymond
Tolland High School
1 Eagle Hill

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:

Kathleen Raymond
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 12th 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 how 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:

- ☐ no further evaluation at this time. Explain.

Additional comments: _____

8/25/04

**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/infracton 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)

TO: Members of the Board of Education
FROM: William D. Guzman
Jane A. Neel
DATE: February 26, 2014
SUBJECT: Request for Authorization to Transfer Funds

In accordance with Board Policy 3060, an authorization is requested for the following transfer of funds. This transfer of funds was noted on the budget projection Dated February 10, 2014 which was presented as the February 12, 2014 Board of Education meeting.

<u>From</u>	<u>Amount</u>	<u>To</u>	<u>Amount</u>
Certified Reg Ed (178)	(\$69,158)	Substitutes (187)	\$69,158

Explanation:

Due to unpaid leaves of absences, funds in the certified regular education accounts will be transferred to cover expenses for substitutes utilized to replace teacher absences.

TO: Members of the Board of Education

FROM: William D. Guzman

DATE: March 5, 2014

SUBJECT: Change of Board Meeting Dates – March 26 – April 23

There are currently two conflicts regarding Board of Education meeting dates. These are:

1. Wednesday, March 26 Board meeting conflicts with Public Hearing on Town Manager's Recommended Budget to be held in Tolland High School Auditorium at 7:30 p.m.
2. Wednesday, April 23 Board meeting conflicts with Annual Budget Presentation meeting to be held in Tolland High School Auditorium at 7:30 p.m.

The Board may wish to consider alternative meeting dates.

WDG:jp