

STUDENTS**ADMINISTRATIVE REGULATION**

Regarding Section 504 Of The Rehabilitation Act Of 1973

Coventry Board of Education Section 504 Complaint/Grievance Procedures

Under Section 504, a person with a disability is anyone 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.

I. Procedures for Complaints /Grievances Alleging Discrimination on the Basis of Disability

It is the express policy of the Board of Education to provide for the prompt and equitable resolution of complaints and/or grievances alleging any violation of Section 504. In order to facilitate the timely resolution of such complaints and/or grievances, 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 contact the district's designated Section 504 Coordinator within thirty (30) days of the alleged occurrence to discuss the nature of the complaint. If the Section 504 Coordinator is the subject of the complaint and/or grievance, the complaint and/or grievance should be submitted to the Superintendent, who shall investigate or appoint a designee to do so. Timely reporting of complaints and/or grievances facilitates the investigation and resolution of such complaints and/or grievances.

Complaints and/or grievances 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. Complaints and/or grievances 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.

II. Procedures for Complaints /Grievances Regarding a Student's Identification, Evaluation, and /or Educational Placement

Complaints and/or grievances regarding a student's identification, evaluation, or educational placement shall be addressed in accordance with the procedures set forth below:

A. Informal Level

1. In order to facilitate the prompt investigation of complaints, any complaint and/or grievance regarding a student's identification, evaluation or educational placement should be forwarded to the district's Section 504 Coordinator within thirty (30) days of the alleged occurrence to discuss the nature of the complaint. 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 Coordinator shall maintain a written record containing the following:
 - a. Full name and address of complainant;

b. Specific areas of disagreement relating to the child's identification, evaluation, and/or educational placement; and

c. Remedy requested.

3. At the time the complaint is filed, the Coordinator should direct the complainant to the appropriate Principal or Director who will investigate the complaint and send a written report to the Coordinator. The Coordinator shall then meet informally with the complainant and other relevant individual(s), shall provide confidential counseling where advisable and shall finally seek an informal agreement between the parties concerned. Every attempt shall be made to seek a solution and resolve the Section 504 complaint at this level when possible.

4. This process shall take no longer than ten (10) working days from the time the complaint was received.

B. Formal Level/Impartial Hearing

1. If the complainant is not satisfied with the resolution offered in the initial informal procedures, he/she may initiate more formal procedures to further explore and resolve a Section 504 complaint/grievance regarding a student's identification, evaluation, or educational placement.

2. The complainant shall present the written complaint to the Superintendent within fifteen (15) days after the conclusion of the informal resolution process. The Superintendent may resolve the complaint alone or with the appropriate principal/director.

3. If the complaint is not resolved, the Superintendent shall hear and fully review the case within thirty (30) days of the receipt of the complaint/grievance regarding a student's identification, evaluation, or educational placement.

a. The Coordinator shall inform all parties of the date, time and place of the grievance hearing and of their right to present witnesses or representatives, if desired. The Coordinator shall provide assistance to the complainant in understanding the grievance procedure process.

b. A written record of the hearing shall be kept.

c. A written decision shall be sent to the complainant within ten (10) working days after the conclusion of the hearing.

4. If the complainant is not satisfied with the Superintendent's decision, he/she may, within fifteen (15) days of the Superintendent's decision, request that the Superintendent submit the matter to an impartial hearing officer.

a. 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 Act (IDEA).

- b. 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.
 - c. The impartial hearing officer shall hear all aspects of the complainant's appeal and shall reach a decision within forty-five (45) days of receipt of the written appeal. The decision shall be presented in writing to the complainant.
 - d. 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.
5. 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:*

Mr. Raymond Grasso
 3453 Main Street
 Coventry, CT 06238 Telephone: 860-742-7313

IV. *Complaints to State and Federal Agencies*

At any stage in these complaint/grievance procedures, the complainant has the right to file a formal complaint with the U.S. Department of Education, Office for Civil Rights, Region I, 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 discrimination.

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, One Congress Street, 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 180 (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.

Administrative Council
 May 20, 2004

Update /km
 May 8, 2006