

## Students

### Nondiscrimination on the Basis of Disability

It is the policy of the Hamden Board of Education to provide a free and appropriate public education to each student with disabilities within its jurisdiction, regardless of the nature or severity of the disability.

It is the intent of the district to ensure that students who have disabilities within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated and provided with appropriate educational services. Students may have disabilities under this policy even though they do not require services pursuant to the Individuals with Disabilities Education Act (IDEA).

Due process rights of students with disabilities and their parents under Section 504 will be enforced.

The Director of Student Services is the Coordinator of Section 504 activities.

Legal Reference: Connecticut General Statutes

19-581 through 585 AIDS testing and medical information.

10-209 Records not to be public.

46a-60 Discriminatory employment practices prohibited.

Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706(7)(b).

American Disability Act of 1989.

*Chalk v. The United States District Court of Central California.*

Policy adopted:

June 27, 2005

HAMDEN PUBLIC SCHOOLS  
Hamden, Connecticut

## Students

### Nondiscrimination on the Basis of Disability

#### 1. Student Accommodation Plan Procedures

- A. At each school, the 504 Student Accommodation Team (SAT) will determine those students who are eligible for a 504 Accommodation Plan. There are three categories of students who might become eligible.

1. Students who have a disability in accordance with the following definition of Section 504 of the Rehabilitation Act of 1973:

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against students and adults who have a disability. Specifically, the Act states:

**"No otherwise qualified individual with handicaps in the United States shall, solely by reason of her or his handicap, as defined in section 706(8) of this title, be excluded from the participation, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service." (29 U.S.C. Sec. 794)**

The act defines a person with a disability as anyone who:

- a. has a mental or physical impairment which substantially limits one or more major life activities (major life activities include activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, LEARNING, and working);
  - b. has a record of such an impairment; or
  - c. is regarded as having such an impairment.
2. Students who do not qualify for special education after an initial evaluation.

There are times when a referred student is not found eligible under any of the IDEA categories after the completion of a multi-disciplinary assessment by the PPT. In such cases, the student should be referred to the SAT to see if the student is eligible for 504 accommodations.

## Students

### Nondiscrimination on the Basis of Disability (continued)

#### Student Accommodation Plan Procedures (continued)

3. Students who, upon a re-evaluation, no longer qualify for special education.

When a previously-identified IDEA student, upon completion of a re-evaluation, no longer qualifies for special education, the student should be referred to the SAT to see if the student is eligible for 504 accommodations.

#### B. Members of the Building Level 504 Student Accommodation Team (SAT)

The 504 Student Accommodation Team (SAT) is a *regular education* requirement; it is separate from the **Planning and Placement Team (PPT)** required within *special education*. Some staff members, however, may sit on both teams.

Elementary: Principal, school nurse, regular education teacher(s), school psychologist, and other support staff as appropriate.

Secondary: Principal or Assistant Principal, school nurse, guidance counselor, regular education teacher(s), school psychologist, and other support staff as appropriate.

#### C. 504 Student Accommodation Team (SAT) Procedures

1. Certain health needs require a direct referral to the PPT, such as a student with a Traumatic Brain Injury (TBI is one of the IDEA categories). When a student has a health need that does not warrant a direct referral to the PPT, the school nurse should determine if an Individual Health Care Plan is sufficient (e.g., a student with asthma, peanut allergies), or if a referral should be made to the 504 Student Accommodation Team in order to develop an appropriate accommodation plan. The school nurse will ensure that all necessary medical documentation is available. She/he, in conjunction with the building Principal, will schedule a meeting of the SAT, and will notify the parent in writing of the meeting using the attached letter. (*See Attachment A*)

## Students

### Nondiscrimination on the Basis of Disability (continued)

#### 504 Student Accommodation Team (SAT) Procedures (continued)

2. Minutes of the meeting and attendance will be recorded. (*See Attachments B and C*)
3. The SAT will consider whether or not the disability substantially limits a major life activity. Factors to consider include: the nature and severity of the impairment, the duration or expected duration of the impairment, and the permanent or long term negative impact resulting from the impairment. (*See Attachment D*)
4. If the student is eligible, the SAT will discuss the student's needs and determine appropriate accommodations. The attached 504 Student Accommodation Plan form will be used to document the meeting, the participants, and the recommended accommodations. (*See Attachment E and F*)
5. Upon conclusion of the 504 meeting, the parent will be given a copy of the 504 Student Accommodation Plan, as well as a copy of the Parent/Student Rights packet. (*See Attachment G*)
6. Immediately following the 504 meeting, copies of the 504 Student Accommodation plan should also be: (1) given to the student's teacher(s) and support staff so that they will be aware of the necessary accommodations; (2) placed in the student's cumulative file; (3) placed in the student's health file; and (4) kept in the school 504 file (to be kept by the school nurse).
7. A copy of each 504 Student Accommodation Plan should also be sent to the Coordinator of School Health Services at Hamden High School and to the District 504 Student Compliance Coordinator at Central Office.
8. The school nurse will maintain a file of all the school 504 Student Accommodation Plans, and will schedule review meetings on at least an annual basis (or before, if additional accommodations become necessary). When a new 504 Student Accommodation Plan is developed for a student at the annual meeting (or sooner), the new plan should be distributed as indicated in #5, 6, and 7 above. The new plan should be stapled to the earlier plan(s), and kept as a packet in the school 504 file which is maintained by the school nurse in her office.

## **Students**

### **Nondiscrimination on the Basis of Disability (continued)**

#### **504 Student Accommodation Team (SAT) Procedures (continued)**

9. At the end of the year, the nurse should review the active 504 Student Accommodation Plans, and if a student will be going to another school (i.e., elementary to HMS, HMS to HHS, moving, etc.), the 504 Student Accommodation Plan should be sent to the nurse in the receiving school.
10. Each September, the nurse should prepare copies of all the active 504 Student Accommodation Plans, and each student's plan should be reviewed with the appropriate teachers and support staff for each student.
11. If the building SAT has any questions regarding a particular student and/or accommodations, the Director of School Health Services and the District 504 Student Compliance Coordinator should be consulted.

#### **2. Grievance Procedures for Persons with Disabilities**

- A. The Board of Education of the Hamden Public Schools has implemented this grievance procedure to provide for the fair and timely resolution of any complaints by persons who have disabilities and who grieve and protest any alleged violation of the Board's obligations under the Americans with Disabilities Act.

##### **1. Informal Resolution**

Any student, parent/guardian, staff member, or applicant with disabilities who believes that the Board of Education or any of its members, agents, or employees have failed to meet their obligations to operate in a non-discriminatory manner, to provide effective communications, to ensure that programs and activities are readily accessible and usable, or to afford equal employment opportunity is encouraged to make his/her complaints known. It is recommended that complaints be brought to the attention of the supervisory personnel in the program or department directly involved.

## Students

### Nondiscrimination on the Basis of Disability (continued)

#### Grievance Procedures for Persons with Disabilities (continued)

##### 2. Formal Resolution – Stage One

- a. If a satisfactory resolution is not achieved, or if the aggrieved student, parent/guardian, staff member, or applicant chooses not to seek such an informal resolution, a formal complaint may be submitted in writing within 30 calendar days of the alleged occurrence to the,

District ADA/504 Coordinator, Bill McGraw  
Director: Pupil Services  
Hamden Public Schools  
60 Putnam Avenue  
Hamden, Connecticut 06517  
203-407-2000  
Fax: 203-407-2001

- b. A written complaint should include:
- Name(s) and address(es) of the person(s) submitting the complaint;
  - Short description of the alleged discriminatory action or condition;
  - Date, time, and place of the occurrence;
  - Names of any parties involved directly or as witnesses;
  - Nature of the complainant's disability.
- c. Upon receipt of the written complaint, the ADA/504 Coordinator may contact the individual(s) against whom the complaint was lodged for information-gathering purposes.
- d. Within 14 calendar days of receipt of the written complaint, the ADA/504 Coordinator will meet with the complainant to discuss the complaint and possible resolutions. The individuals(s) cited in the complaint may be included in the meeting at the discretion of the ADA/504 Coordinator. The ADA/504 Coordinator shall serve as mediator and shall seek an informal agreement between the parties involved. Every attempt shall be made to seek a solution and resolve the alleged discrimination complaint at this level.

## **Students**

### **Nondiscrimination on the Basis of Disability (continued)**

#### **Grievance Procedures for Persons with Disabilities (continued)**

- e. If the ADA/504 Compliance Coordinator proposes a resolution that is accepted by the complainant, a letter summarizing the complaint and the terms of the agreement will be prepared by the ADA/504 Coordinator and signed by the complainant, the ADA/504 Coordinator, and any administrator party to the execution of the agreement. Copies will be provided to all.
- f. The ADA/504 Coordinator will maintain copies of all Formal Resolutions to Stage One grievances that are resolved satisfactorily, and will also provide copies to the Superintendent of Schools. Copies of grievances that are not resolved satisfactorily will also be passed along to the Superintendent, in case of an appeal.

### **3. Formal Resolution – Stage Two**

- A. If the complainant is not satisfied with the proposed resolution, an appeal to the Superintendent of Schools may be initiated within 14 calendar days of the meeting with the ADA/504 Coordinator. The complainant shall present to the Superintendent a simple statement that the complainant wishes to appeal an unsatisfactory ruling by the ADA/504 Coordinator as well as a copy of the original complaint and a copy of the reply by the ADA/504 Coordinator.
- B. The Superintendent may resolve the complaint alone or with the appropriate administrator/principal/program director.
- C. The ADA/504 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 ADA/504 Coordinator shall provide assistance to the complainant in understanding the grievance procedure process.
- D. The Superintendent shall hear and fully review the case within 15 school days of the written appeal. A written record of the hearing shall be kept. A written decision shall be sent to the complainant within 5 school days of the hearing.
- E. If the complainant is not satisfied with the Superintendent's recommended resolution, she/he may submit a written appeal to the Board of Education within 15 school days of receipt of the Superintendent's decision.

## Students

### Nondiscrimination on the Basis of Disability (continued)

#### Formal Resolution – Stage Two (continued)

- F. With at least 5 days notice given prior to the hearing, the Board of Education shall inform all parties involved of the date, time, and place of the hearing and the right to present witness(es) and to have legal counsel or other representation, if desired. The Board of Education shall hear all aspects of the appeal and shall reach a decision within 20 days of receipt of the written appeal. The decision shall be presented in writing to the complainant at its next regularly scheduled meeting.
- G. The time limits as noted above may be extended by mutual agreement in writing.

In the event a complaint is not resolved through this grievance procedure, a complainant shall be advised, in writing, that she/he may have further rights and/or remedies under the Americans with Disabilities Act.

#### 1. How to File Complaints:

- a. **Title I:** It is the policy of the Board of Education and the Hamden Public Schools that there shall be no discrimination by any Board of Education member, agent, or employee against any individual on the basis of any disability in its hiring and employment practices.

Complaints about violations of Title I (employment) should be filed with:

Equal Employment Opportunity Commission  
 Program Development and Technical Assistance Division  
 Office of Program Operations  
 1801 "L" Street, N.W.  
 Washington, D.C. 20507  
 1-800-669-4000 (voice)  
 TDD: use relay service

- b. **Title II:** It is the policy of the Board of Education and the Hamden Public Schools, that there shall be no discrimination by any Board of Education member, agent, or employee against any individual on the basis of any disability with respect to admission to, access to, or operation of, its programs, services, or activities.



## Students

### Nondiscrimination on the Basis of Disability (continued)

#### Formal Resolution – Stage Two (continued)

Complaints about violations of Title II (access to programs and services) should be filed with:

U.S. Department of Justice  
Civil Rights Division  
Coordination and Review Section  
Post Office Box 66118  
Washington, D.C. 20035-6118  
1-800-514-0301 (voice)  
1-800-514-0383 (TDD)

2. Any person may also file a complaint of illegal discrimination with the Office of Civil Rights, John W. McCormick Post Office and Court House Building, 2<sup>nd</sup> Floor, Post Office Square, Boston, MA 02109 at the same time she/he files a grievance, during or after use of the grievance process, or without using the grievance process at all. If a complaint is filed with the Office of Civil Rights, it must be filed in writing no later than 180 days after the occurrence of the possible discrimination.
3. A copy of the grievance procedure shall be posted in a prominent place in all Board of Education facilities and schools. (*See Attachment H*)

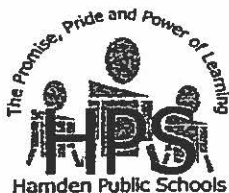
This grievance procedure is available, upon request, in large print, on audio tape, and in Braille from the District ADA/504 Coordinator.

ADA/504 District Coordinator  
William McGraw  
Director: Pupil Services  
Hamden Public Schools  
60 Putnam Avenue  
Hamden, Connecticut 06517  
203-407-2000  
Fax: 203-407-2001

Regulation approved:

June 27, 2005

HAMDEN PUBLIC SCHOOLS  
Hamden, Connecticut



**HAMDEN PUBLIC SCHOOLS**  
**Pupil Services Administration**

**5145.4**  
**Attachment A**

**504 Meeting Notice**

**Date:** \_\_\_\_\_

**Hamden, Connecticut 06517**

**Re:** \_\_\_\_\_  
(student name)

Dear Mr. and Mrs. \_\_\_\_\_:

This is to confirm that a 504 meeting will be held at \_\_\_\_\_ School,  
on \_\_\_\_\_ at \_\_\_\_\_ AM for the following purpose(s):

- ☐ to discuss identification of your child as eligible under Section 504
- ☐ to identify appropriate accommodations under Section 504 (if eligible)
- ☐ to review appropriate accommodations under Section 504 (if eligible)
- ☐ to review your child's continued eligibility under Section 504

Please bring with you all appropriate medical documentation and other information relevant to the meeting.

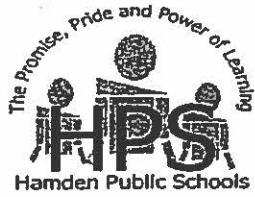
Sincerely,

\_\_\_\_\_  
Principal (school)

Enclosure: Section 504 Procedural Safeguards

Invitees:

- \_\_\_ Principal
- \_\_\_ Assistant Principal
- \_\_\_ Teacher
- \_\_\_ School Counselor
- \_\_\_ School Nurse
- \_\_\_ School Psychologist
- \_\_\_ [other: choose one]
- \_\_\_ [other: choose one]
- \_\_\_ [other: choose one]

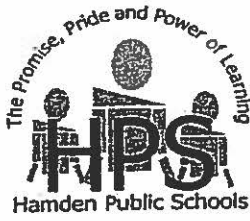


**HAMDEN PUBLIC SCHOOLS**  
**Pupil Services Administration**

## Section 504 Attendance Sheet

Date: \_\_\_\_\_

[illegible]



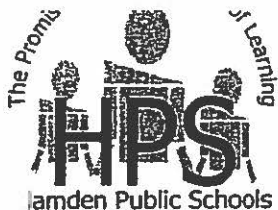
**HAMDEN PUBLIC SCHOOLS**  
**Pupil Services Administration**

## Section 504 Meeting Minutes

Date: \_\_\_\_\_

The purpose of this meeting is to:

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.



**HAMDEN PUBLIC SCHOOLS**  
**Pupil Services Administration**  
**Section 504 Eligibility Determination Form**  
 District Section 504 Coordinator: **Bill McGraw**

**5145.4**  
**Attachment D**

**Student Information**

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Home Phone: (203) \_\_\_\_\_  
 Date of Birth: \_\_\_\_\_  
 Grade: \_\_\_\_\_  
 Person(s) making referral: \_\_\_\_\_

Work Phone: \_\_\_\_\_  
 School: \_\_\_\_\_  
 Teacher: \_\_\_\_\_

**Purpose of Meeting**

☐ Initial Review  
☐ Periodic Review

**Eligibility Criteria and Determination**

**1. Documentation regarding impairment (check those applicable and provide relevant data):**

	ASSESSMENT	DATE	RESULT OR SOURCE
<input type="checkbox"/>	Physician documentation*		
<input type="checkbox"/>	Health history assessment		
<input type="checkbox"/>	Developmental history		
<input type="checkbox"/>	Attendance record		
<input type="checkbox"/>	Academic evaluation		
<input type="checkbox"/>	Psychological evaluation*		
<input type="checkbox"/>	Record review (incl. report cards)		
<input type="checkbox"/>	State and district assessments		

\*When indicated, parent has signed an authorization to release the school and physician/psychologist/other provider to exchange information/record(s) pertinent to the physical or mental impairment?

Yes ☐ No ☐ (Please attach)

**Does the student have a physical or mental impairment? Yes ☐ No ☐**

Team must attach all supporting documentation. A simple statement without supporting evaluative data is not sufficient to meet this standard; exchange of information with the physician/provider may be indicated.

**Impairment:**

**2. What major life activities are limited by the impairment? Please provide sources of information and attach evidence.**

Major Life Activity	School-related description of impairment	Sources of information	Severity Mild Moderate Severe	Duration Short Medium Long	Substantial Limitation?*	
					Yes*	No?*
Caring of Oneself			Mild Moderate Severe	Short Medium Long		
Performing Manual Tasks			Mild Moderate Severe	Short Medium Long		
Walking			Mild Moderate Severe	Short Medium Long		
Seeing			Mild Moderate Severe	Short Medium Long		
Hearing			Mild Moderate Severe	Short Medium Long		
Speaking			Mild Moderate Severe	Short Medium Long		
Breathing			Mild Moderate Severe	Short Medium Long		
Learning			Mild Moderate Severe	Short Medium Long		
Working			Mild Moderate Severe	Short Medium Long		
Other			Mild Moderate Severe	Short Medium Long		

\*In order to meet this standard the student must be unable to perform a major life activity that the average person in the general population (national norms, not local norms) can perform. Alternatively, the student must be significantly restricted as to the condition, manner, or duration under which an individual can perform a particular major life activity as compared to the condition, manner, or duration under which the average person in the general population (national norms, not local norms) can perform the same major life activity.

**3. Has the team determined that the impairment substantially limits a major life activity?** ☐ Yes ☐ No

Note: If *learning* is the major life activity which is substantially limited, it should be looked at globally. Problems must be pervasive and have been present for a substantial period of time.

**4. Student meets Section 504 eligibility criteria:** ☐ Yes ☐ No

Note: The team must respond YES to the first three questions and attach all required evidence in order to respond Yes to question #4.

**Attendees:**

Name: \_\_\_\_\_  
Name: \_\_\_\_\_  
Name: \_\_\_\_\_  
Name: \_\_\_\_\_  
Name: \_\_\_\_\_  
Name: \_\_\_\_\_  
Name: \_\_\_\_\_

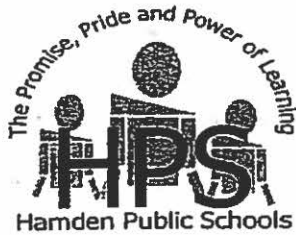
Role: \_\_\_\_\_  
Role: \_\_\_\_\_  
Role: \_\_\_\_\_  
Role: \_\_\_\_\_  
Role: \_\_\_\_\_  
Role: \_\_\_\_\_  
Role: \_\_\_\_\_

**Action Taken**

Date: \_\_\_\_\_

- ☐ Parent/Guardian provided written notice of rights  
☐ Notice of 504 meeting  
☐ Accommodation plan developed (see page 3)  
☐ Student found NOT eligible under Section 504  
☐ Student referred to planning and placement team (PPT)  
☐ Other (specify): \_\_\_\_\_  
☐ None at this time

Projected Revised/Reevaluation Date: \_\_\_\_\_



**HAMDEN PUBLIC SCHOOLS**  
**Pupil Services Administration**

**Section 504 Accommodation Plan**

**Student Information:**

Name: \_\_\_\_\_ Date: \_\_\_\_\_  
 Address: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
 Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_  
 School: \_\_\_\_\_ Teacher: \_\_\_\_\_  
 Grade: \_\_\_\_\_ Person(s) making referral: \_\_\_\_\_  
 Case manager: \_\_\_\_\_

**General Strengths:**

---

---

---

---

---

**General Weaknesses:**

---

---

---

---

---

Specific Accommodations	Where Necessary	Person(s) Responsible for Implementation

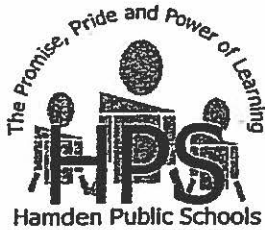
Date reviewed with person(s) responsible for implementation: \_\_\_\_/\_\_\_\_/\_\_\_\_

**Notes:**

---

---

---



**HAMDEN PUBLIC SCHOOLS  
Pupil Services Administration  
504 Meeting Notice**

**Consent for 504 Accommodation Plan**

**Student Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_

- ☐ I give my consent for the 504 accommodation plan developed for my child.
- ☐ I do not give permission for the Hamden Public Schools to provide accommodations for my child as required by Section 504 of the Rehabilitation Act of 1973.

\_\_\_\_\_  
(Parent/Guardian Signature)

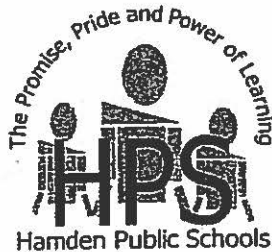
\_\_\_\_\_  
(Date)

Parents/Guardians have the right to withdraw consent, once given, by communicating such intent in writing to the building principal.

If parents do not grant consent within ten days of a request for such consent by the school, this failure shall be construed as denial of consent.

Parents have the right to request resolution of any 504 complaint. They may do so by contacting the building principal first, then the district 504 office (Director of Pupil Services). Parents have the right to contact the State Department of Education to request formal due process at any time.





**HAMDEN PUBLIC SCHOOLS  
Pupil Services Administration**

**Section 504 Procedural Safeguards**

Section 504 of the Rehabilitation Act provides services for students identified as having a disability as defined by the act, which substantially limits a major life activity. Under section 504, you have the following rights:

- ❖ The right to be informed of your rights under Section 504 of the Rehabilitation Act.
- ❖ The right for your child to have equal opportunities to participate in academic, nonacademic, and extracurricular activities in your school.
- ❖ The right to be notified about referral, evaluation, and programs for your child.
- ❖ The right for you child to be evaluated fairly.
- ❖ The right, if eligible for services under 504, for your child to receive accommodations, modifications, and related services that will meet his/her needs as well as the needs of students without disabilities are met.
- ❖ The right for your child to be educated with peers who do not have disabilities as much as possible.
- ❖ The right to an impartial hearing if you disagree with the school regarding your child's educational program.
- ❖ The right to review and obtain copies of your child's school records.
- ❖ The right to request attorney fees related to securing your rights under Section 504.
- ❖ The right to request changes in the educational program for your child.

Should you feel that your rights have been violated, or you disagree with the findings of the school-based 504 Committee, please contact the Hamden Public Schools Section 504 Coordinator, Mr. Bill McGraw, at (203) 407-2000.

**[PLEASE POST]**

**HAMDEN PUBLIC SCHOOLS**

60 Putnam Avenue  
Hamden, Connecticut 06517

**It is the policy of the Board of Education and the Hamden Public Schools that there shall be no discrimination by any Board of Education member, agent, or employee against any individual on the basis of any disability in its hiring and employment practices. (Title I)**

**It is the policy of the Board of Education and the Hamden Public Schools that there shall be no discrimination by any Board of Education member, agent, or employee against any individual on the basis of any disability with respect to admission to, access to, or operation of, its programs, services, or activities. (Title II)**

This notice is provided as required by Titles I and II of the Americans with Disabilities Act of 1990.

Questions, concerns, complaints, or requests for additional information regarding these rights of non-discrimination may be forwarded to the Board of Education's designated ADA/504 Student Coordinator.

Name:	William McGraw
Title:	Director of Pupil Services
Office Address:	Hamden Public Schools 60 Putnam Avenue Hamden, CT 06517
Telephone:	203-407-2000 Fax: 203-407-2001

Individuals with disabilities are invited to request any reasonable modification to Board of Education programs or any communications aids necessary to enable them to participate. Individuals should make their needs and preferences known to the school sponsoring the program or to the ADA/504 Coordinator.

This notice is available in large print, on audio tape, and in Braille, from the ADA/504 Coordinator. Please bring this notice to the attention of any Hamden student, parent, or resident who has a disability or is associated with people who have disabilities.