

disability, the discipline process must end, and the 504 Team should review the 504 Plan to determine if changes are appropriate. If the disability is not a manifestation of the disability, the student is subject to the same disciplinary action that any non-disabled student would receive for the same behavior.

## Parent/Guardian Rights

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The following safeguards shall be afforded to the parent/guardian(s) of students who are referred for an evaluation under Section 504:

- ◇ A copy of the Manchester Public Schools 504 procedures of which this brochure provides
- ◇ Notice (including written or oral) of any decision regarding the identification, evaluation, or educational placement of your student.
- ◇ An opportunity to examine relevant educational records
- ◇ The right to file for a Section 504 due process hearing and/or may file a complaint with the Office of Pupil Personnel Services
- ◇ The right to have an impartial hearing conducted before an individual not employed by Manchester Public Schools with the opportunity for participation of the student's parent(s) and or guardian and representation by counsel.

## Additional Contact Information:

For additional assistance regarding your 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**  
**Phone: (617) 289-0111**

**Connecticut State Department of Education**  
**Bureau of Special Education and Pupil Services**  
**P.O. Box 2219**  
**Hartford, CT 06145**  
**Phone: (860) 807-2030**

# MANCHESTER PUBLIC SCHOOLS



## Parent's Guide to Section 504 of the Rehabilitation Act

Sarah Burke, Director of  
Pupil Personnel Services  
Phone: 860-647-3452  
Fax: 860-647-5058

Marney Reardon, 504 Coordinator  
Phone: 860-647-3324  
Fax: 860-647-3485

Manchester Public Schools  
45 North School Street  
Manchester, CT 06042

## Purpose of Section 504

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The following policies and procedures have been adopted by Manchester Public Schools to comply with Section 504 of the Rehabilitation Act of 1973. Section 504 is a federal law which prohibits discrimination against individuals with disabilities by any program or activity receiving federal financial assistance.

Manchester Public Schools will not knowingly permit discrimination against any person with a disability or impairment in any of the programs and practices of the school district. The school district has the responsibility to identify and evaluate students who may be eligible for protection under Section 504. For students who are determined to be eligible for protection, schools will provide appropriate education services, making accommodations if necessary.

## Section 504 Law

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The law states that no otherwise qualified individual with a disability in the United States shall, solely by reason of her/his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving or benefiting from federal financial assistances. A person with a disability is defined in the law as any person who:

- ◇ Has a physical or mental impairment which substantially limits one or more major life activities, or
- ◇ Has a record of such an impairment, or
- ◇ Is regarded as having such an impairment.

**A physical or mental impairment** is defined as 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, organ, cardiovascular, reproductive, digestive, genito-urinary; hemic and lymphatic; skin; and endocrine, or any mental or psychological disorder, such as an intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

**Major life activities** are functions such as but not limited to; caring for one's self, performing manual tasks, walking, talking, seeing, hearing, speaking, concentrating, thinking, breathing, learning, and working.

## Section 504 Procedures

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1. **Referral**—referrals may be made to the 504 Coordinator by any person who suspects that a student has a disability or needs accommodation.
2. **Parent Notification**—The 504 Coordinator or case manager discusses the student's potential Section 504 eligibility with the parent(s) and notifies them about meetings, decisions, and their rights.
3. **Evaluation Committee Meeting**—This Committee must include the parent, student if appropriate, someone who knows the student, a school designee, and a staff member knowledgeable about Section 504 Law. This evaluation consists of the collection and review of existing information, data, documentation by a

licensed physician of a disability, and may also include new testing or assessment. The purpose of such meeting is to determine eligibility and to review information pertinent to educational planning.

4. **Determination of Eligibility**—If the Committee determines that a student does have a physical or mental health impairment that substantially limits a major life activity, then the student would be eligible for protection under Section 504 law. The 504 team would then convene to determine if the student needs accommodations and/or related services in order to have access to and benefit from a free, appropriate public education (FAPE).
5. **The Section 504 Accommodation Plan**—Developed by the Committee if deemed necessary, indicating the accommodations and or related services necessary to provide the student with an appropriate education which will meet the student's educational needs as adequately as the needs of other students are met.

## Discipline

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Children under Section 504 are subject to the same disciplinary action as their non-disabled peers (Board of Education Policy 5144). As part of the process, the district must consider the relationship between the disability and the misbehavior. When a student under Section 504, or in the referral/evaluation process is suspended for an accumulation of ten school days, a manifestation determination must be conducted. If the 504 Team concludes that the behavior is a manifestation of the student's