

**MANCHESTER BOARD OF EDUCATION**  
**REGULAR MEETING**  
**MONDAY, MARCH 27, 2017**  
**LINCOLN CENTER, HEARING ROOM**

**C&I Committee**  
**Executive Session – Personnel Matters**  
**Board of Education Meeting**

**5:00 P.M. – Director’s Room**  
**6:30 P.M. – Director’s Room**  
**7:00 P.M. – Hearing Room**

- A. OPENING**  
1) Call to order  
2) Pledge of Allegiance  
3) Board of Education Minutes 3-13-17 A – 3
- B. COMMITTEE REPORTS –**  
1) Policy Committee Minutes 3-13-17 B – 1
- C. CONSENT CALENDAR**  
1) Personnel Information C – 1  
2) Establish a preliminary appropriation for FY17-18 in the amount of \$602,729 for Manchester Head Start C – 2  
3) Permission to apply for FY17-18 for the College Career Pathways Grant in the amount of \$12,899 from Manchester Community College C – 3  
4) Amend the appropriation for FY16-18 for the Instructors of the Handicapped (IOH) Pool Repairs at Manchester High School in the amount of \$216,085 C – 4
- D. REPORT FROM STUDENT REPRESENTATIVE -**  
Shania Stanton and Nabila Hoor Un Ein
- E. PUBLIC COMMENTS (any item before the board)**
- F. SUPERINTENDENT’S REPORT**  
1) Health Services Update/School Based Health Center - Ms. Marney Reardon, Nursing Supervisor F – 1  
2) Art and Music Update – Ms. Pasqua Guzzi, PreK-12 Visual Arts Curriculum Chair and Mr. Keith Berry, PreK-12 Music Curriculum Chair F – 2
- G. UNFINISHED BUSINESS –**  
1) **Policy Recommendation:**  
The Policy Committee submits to the full Board its recommended revision for a second reading and approval in accordance with its policy on policy changes:  
**Policy Revisions:**  
a) Policy 5012 – Section 504/ADA Policy for Students G – 1a  
b) Policy 4012 – Section 504/ADA Policy for Employees G – 1b
- H. NEW BUSINESS – None**
- I. PUBLIC COMMENTS (comments limited to items on tonight’s agenda)**
- J. COMMUNICATIONS - None**

**K. ITEMS FOR FUTURE AGENDAS**

**L. ADJOURNMENT**

*Welcome to the Manchester Board of Education meeting. Observers are always welcome. The following instructions are to assist those who wish to speak during the Public Comment session(s):*

- 1) Print your name and address on the sign-in sheet at the podium for accurate record keeping.*
- 2) State your name and address for the record. Students state name only.*
- 3) First Session: Three minute time limit for any item that may come before the Board. Listen for the bell.*
- 4) Second Session: Comments must be limited to items on the Board's agenda for this meeting. The Board Chair has the discretion to limit comment time.*
- 5) Written statements may be substituted for Board members if time runs out for speaker.*
- 6) Immediate replies to questions/concerns should not be expected (Board Chair/Superintendent's discretion).*
- 7) Inappropriate topics: Confidential information, personal issues and legal concerns. Please avoid derogatory and profane language. Board of Education Policy #1220.*

**Manchester Public Schools**  
**Board of Education**  
Policy Committee  
Minutes  
Monday, March 13, 2017  
5:30  
Library / Media Center  
Verplanck Elementary School

Members Present: Deb Hagenow, Susan Jacobsen, Chris Pattacini, Darryl Thames, Sr.

Others Present: Matt Geary, Marney Reardon

The meeting was called to order at 5:30 PM.

The committee discussed the potential administration of Naloxone (also commonly known as Narcan) by personnel who possess the education and knowledge necessary at the middle school and high school levels. Naloxone is a medication that can reverse an overdose that is caused by an opioid drug.

The committee is in favor of pursuing this possibility and directed the Superintendent to check for policy recommendations from the Board's attorney. Ms. Reardon, District Nursing Supervisor, will gather information on the potential cost of storage and administration.

Policy language will be brought to the full Board of Education when completed.

The meeting adjourned at 6:00 PM.

Next Meeting Date: Monday, May 8, 2017

Respectfully Submitted by

Matt Geary  
Superintendent of Schools

[Policy List](#)

**PERSONNEL ACTION**

**RESIGNATIONS**

Jodi Soloperto, STEM Specialist teacher at Keeney Elementary School has submitted a letter of resignation for personal reasons effective the end of business day on June 30, 2017. Ms. Soloperto has been with Manchester Public Schools since August 24, 2015. It is recommended that her request be approved.

Town of Manchester  
Board of Education

**To:** Manchester Board of Education  
**From:** Matthew Geary, Superintendent of Schools  
**Subject:** Item for Appropriation Manchester Head Start  
FY 17-18  
**Date:** March 21, 2017

**Background:** The Manchester Board of Education receives an annual grant from the Federal Government in order to provide operating funds for the Manchester Head Start program. This award is for the period 3/1/17-2/28/18.

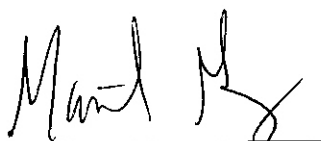
**Discussion/Analysis:** These funds are used to prepare three and four-year-old students for kindergarten.

**Financial Impact:** Grant funds cover 80% of the cost of implementation for this program, with the remaining 20% coming from the Manchester Board of Education, in the form of real dollars and in-kind services. The total preliminary grant award for FY 17-18 is for the amount of \$602,729 fifty percent of the total grant amount.

**Other Board/Commission Action:** None

**Recommendation:** The Superintendent recommends that the Board of Education request the Board of Directors to create the preliminary appropriation for the Manchester Head Start for FY 17-18 in the amount of \$602,729.

**Attachments:** None.



Matthew Geary  
Superintendent of Schools  
Manchester, Connecticut  
March 27, 2017

**Town of Manchester  
Board of Education**

**To:** Manchester Board of Education

**From:** Matthew Geary, Superintendent of Schools

**Subject:** Permission to apply College Career Pathways Grant (formerly Tech Prep) from Manchester Community College for FY17-18

**Date:** March 9, 2017

Background:

Manchester Public Schools has demonstrated a record of excellence in career and technical education. Through Manchester Community College we will continue to improve and expand education and career guidance systems for Manchester's youth.

Discussion/Analysis:

Funds will be used to:

1. Revise and/or re-write curriculum to ensure alignment with state and national standards and Manchester Community College articulated courses in Career Services, Technology, Family & Consumer Sciences and Business Education Departments.
2. Provide professional development opportunities and instructional programs to ensure that students are exposed to specific career-based competencies, which will prepare them for a transition to a technologically-advanced employment workplace.
3. Provide funding for externships and field trips in conjunction with the College Career Pathways initiative.
4. Support specific developmental initiatives through funding for instructional supplies, programs and equipment for grades 9-12 in the aforementioned areas.

Financial Impact: None to the Board

Other Board/Commission Action: None.

Recommendations:

The Superintendent of Schools recommends the Board of Education give permission to apply for \$12,899 for the FY17-18 College Career Pathways Grant from Manchester Community College.



Matthew Geary, Superintendent of Schools  
Manchester, CT  
March 27, 2017

Town of Manchester  
Board of Education

**To:** Manchester Board of Education

**From:** Matthew Geary, Superintendent of Schools

**Subject:** Item to amend Appropriation Instructors of the Handicapped (IOH)  
Pool Repairs at Manchester High School for FY16-18

**Date:** March 9, 2017

**Background:** The IOH Program is nearly 60 years old and teaches handicapped individuals from dozens of towns around the region how to swim; the pool is also used by Manchester Senior Citizens.

**Discussion/Analysis:** This grant is funding repairs to the IOH pool at Manchester High School, including installation of gas service, a new boiler, new water heater, water distribution loop and reheat coils, as well as, repairs to and repainting of the pool and related work.

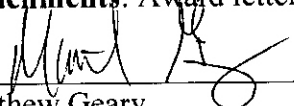
**Financial Impact:** None

**Amendment:** Amendment to adjust remaining award amount \$216,085 (full grant award \$229,000. State amended award to decrease by amount spent in FY15-16) and fiscal year for the remaining of the grant award period 10/1/2016-6/30/2018 (original grant period 10/1/2015-6/30/2017).

**Other Board/Commission Action:** None

**Recommendations:** The Superintendent recommends that the Board of Education request the Board of Directors to amend the appropriation for the Instructors of the Handicapped (IOH) Pool Repairs at Manchester High School in the amount of \$216,085 for FY16-18.

**Attachments:** Award letter and budget.

  
Matthew Geary  
Superintendent of Schools  
Manchester, Connecticut  
March 27, 2017

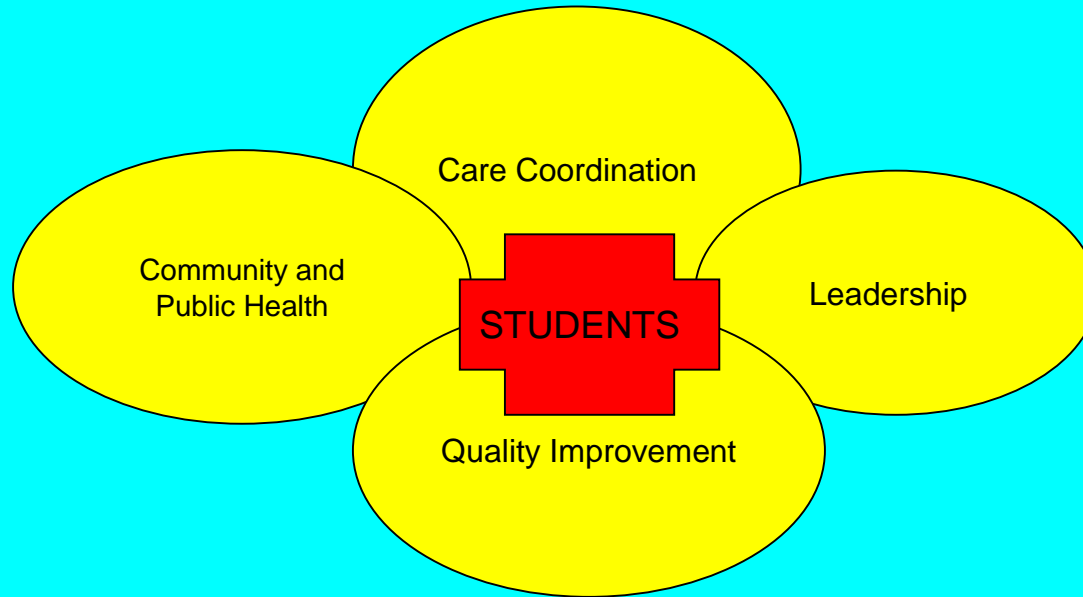
# Manchester Public Schools

## Department of Nursing Services



Marney Reardon, RN, BSN Coordinator of Health Services





# SCHOOL NURSE FRAMEWORK

# Overview

Service over 6,400 students  
In 20 schools

22 RN's

4 LPN's servicing students with  
1:1 medical needs

2 Physical Therapists

1 Secretary

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# Overview

Nurse's examine many students per day.

Many of these students have chronic medical concerns

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# Department Overview

What  
we  
do

## Daily

Give prescribed medications

Treat all acute illnesses and injuries.

Asthma exacerbations

- Catheterization
  - Gastrostomy feedings
  - Administer Insulin Injections
  - Tracheostomy Care /  
Ventilator Care
-

---

# Department Overview

**What  
we  
do**

## Continuously

Collaborate with families  
regarding all health  
concerns

Serve on Attendance  
Committees

Collaborate with outside  
providers, pediatricians

Manage medical 504 Plans

Write IHCP for students with  
disabilities/allergies

Collaborate with teachers  
regarding specific student  
needs

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# Department Overview

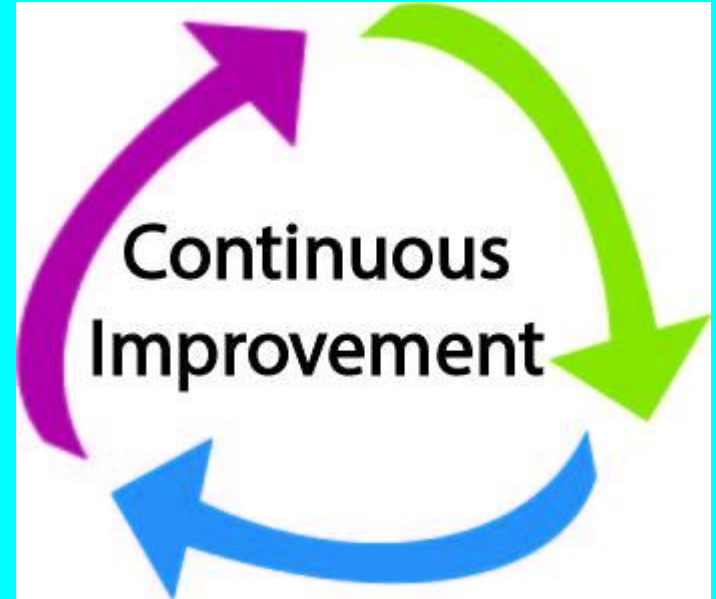
What  
we  
do

## Continuously

- Attend professional conferences

- Maintain CPR and PMT  
Certification

- Ensure all students are properly  
immunized



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# Areas

## We Teach

### In the classroom

When invited, we present lessons on handwashing, safety, hygiene, and puberty

### In our offices

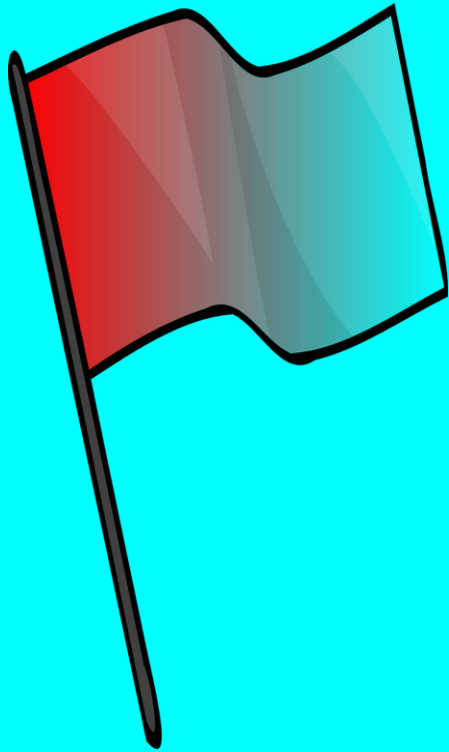
Correct inhaler technique  
Health and Wellness  
Self-management skills  
Diabetes management

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# Children with Special Needs

- Diabetics
  - Seizure Disorders
  - Blood Clotting Disorders
    - Sickle Cell
  - Cardiac Disorders
  - Sensory Disorders
  - Asthma
  - Gastrointestinal Diseases
  - Autoimmune Disorders
  - Emotional Disorders
  - Spectrum Disorders
  - Anxiety
  - ADHD
  - Depression
  - Visual Impairments
  - Anatomical Issues
-



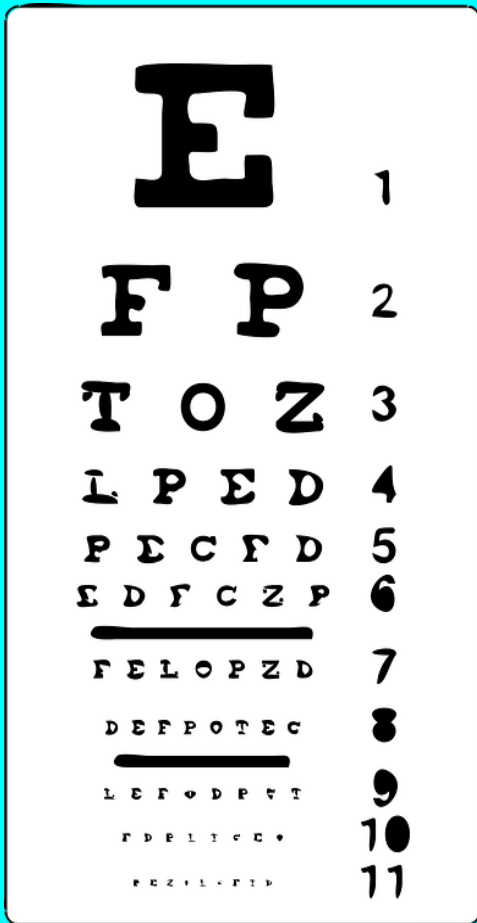


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# Medical Alerts

Children with allergies, food intolerances, medical conditions, medication, psychiatric illnesses,

Many students that are seen seen each day have a medical alert.



## Vision Screening

All students in grades Kindergarten, 1st, 3rd, 4th and 5th are screened.

Referrals are made if a student does not pass.

"Among school-age children, an estimated 1 in 4 has a vision problem."

Screening help identify children with visual difficulties that may affect learning ability and school adjustment.



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# Hearing Screening

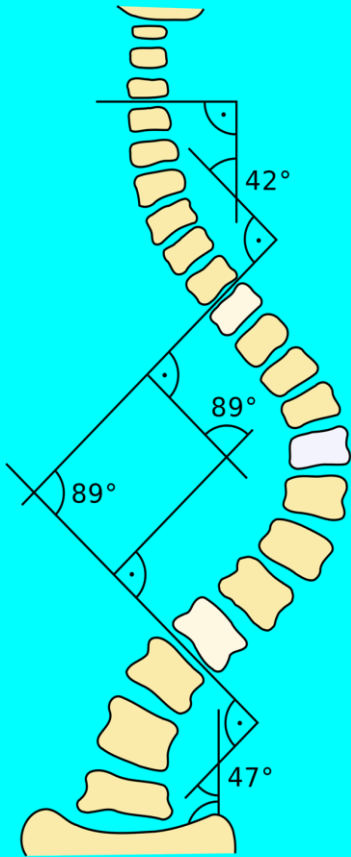
All students in grades Kindergarten, 1st, 3rd, 4th and 5th are screened.

Referrals are made if a student does not pass.

1% of students have a hearing impairment of some type. Screening is important to maximize early identification and intervention.

<http://www.sde.ct.gov>

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# Scoliosis

Girls in grades 5 and 7 are screened.

Boys in grades 8 or 9 are screened.

2-3% of the population is affected by scoliosis. Primary age of onset 10-15.

[www.aans.org](http://www.aans.org)

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## **Student self - management**

Teaching children how to manage headaches, stomachaches, and minor skin irritation on their own.

## **Continuing teaching and reinforcement to all students**

For their individual health and wellbeing

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Mentor new nurses:

Work in collaboration with UCONN School of nursing and mentor 4-5 students per semester.

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The next presenter, Scott Ratchford, Director of Family / Community Engagement will provide you with an in depth look at what a School Based Health Center is and how it will enhance our health services within the district.

# The Arts in Manchester





# The Arts in Manchester

- Defining The Arts
- Who We Are
- What We Do
- How We Do It
- Next Steps



Manchester Public Schools

# The Arts in Manchester

- Defining The Arts
- Who We Are
- What We Do
- How We Do It
- Next Steps



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# Defining The Arts

- Movement and Dance
- Music
- Theatre Arts
- Visual Arts



Manchester Public Schools

# Defining The Arts

- Brain development
- Gross motor development
- Fine motor development
- Visual memory development
- Social-emotional development
- Cognitive development



# The Arts in Manchester

- Defining The Arts
- Who We Are
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Manchester Public Schools

# Who We Are

- 20 Art Teachers
- 29 Music Teachers
- Itinerant Teachers



Manchester Public Schools

# Who We Are

- Involved in Professional Learning Communities (PLCs)
- Monthly department meetings
- Monthly Coordinator meetings



# The Arts in Manchester

- Defining The Arts
- Who We Are
- What We Do
- How We Do It
- Next Steps



Manchester Public Schools



# What We Do



- In 15-16, formal art and music instruction were added at the pre-K level
- Strive to support each school community
- Seek professional development to enhance our skills



# The Arts in Manchester

- Defining The Arts
- Who We Are
- What We Do
- **How We Do It**
- Next Steps



Manchester Public Schools

# How We Do It

- Student centered curriculum PreK-12
- Use Unit Planner for curriculum planning
- Department specific “*look fors*” for best teaching practices




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Unit Overview

STAGE 1:  
Desired ResultsSTAGE 2:  
Assessment EvidenceSTAGE 3:  
Learning Plan

Unit Resources

## Visual Arts: Pre-K: Painting

### Pre-Assessment

What pre-assessments will you use to check student's prior knowledge, skill levels and potential misconceptions?

### Learning Plan

While detailed lesson plans are not expected here, you should include sufficient information so that another teacher who is familiar with the unit's content could understand and follow the basic learning plan. That means not just stating WHAT learners will do but WHY the event is proposed - its purpose.

Optional: Code your learning activities to their alignment with Stage 1 elements.

Coding	Code	Learning Activity Information
	LE1	<p>Line painting lesson.</p> <ul style="list-style-type: none"> <li>Transfer:               <ul style="list-style-type: none"> <li>To introduce students to mark making.</li> <li>Engage in self-directed creative making.</li> <li>Share materials with others.</li> <li>Share and talk about personal artwork.</li> </ul> </li> <li>Meaning               <ul style="list-style-type: none"> <li>Artists and designers develop excellence through practice and constructive critique, reflecting on, revising, and refining work over time.</li> <li>Artists and designers balance experimentation and responsibility while developing and creating artworks.</li> </ul> </li> <li>Acquisition               <ul style="list-style-type: none"> <li>How to hold and use drawing materials.</li> <li>How to draw a variety of lines.</li> </ul> </li> </ul> <p>How to maintain materials and tools.</p>
	LE2	<p>Organic and geometric shape lesson.</p> <ul style="list-style-type: none"> <li>Transfer:               <ul style="list-style-type: none"> <li>Distinguish between images and real objects.</li> <li>Engage in self-directed creative making.</li> <li>Share materials with others.</li> <li>Introduce to students to shapes</li> </ul> </li> <li>Meaning               <ul style="list-style-type: none"> <li>Creativity and innovative thinking are essential life skills that can be developed.</li> <li>Artists and designers develop excellence through practice and constructive critique, reflecting on, revising, and refining work over time.</li> </ul> </li> <li>Acquisition               <ul style="list-style-type: none"> <li>How to hold and use drawing materials.</li> <li>How to draw a variety of organic and geometric shapes.</li> <li>How to maintain materials and tools.</li> </ul> </li> </ul>
	LE3	<p>Painting a narrative.</p> <ul style="list-style-type: none"> <li>Transfer               <ul style="list-style-type: none"> <li>Create and tell about art that communicates a story about a familiar place or object.</li> <li>Share and talk about personal artwork.</li> <li>Share materials with others.</li> <li>Introduce students to depicting a story</li> </ul> </li> <li>Meaning               <ul style="list-style-type: none"> <li>Creativity and innovative thinking are essential life skills that can be developed.</li> <li>Artists and designers develop excellence through practice and constructive critique, reflecting on, revising, and refining work over time.</li> </ul> </li> <li>Acquisition               <ul style="list-style-type: none"> <li>How to hold and use drawing materials.</li> <li>How to draw a variety of lines.</li> <li>How to draw a variety of organic and geometric shapes.</li> <li>The difference between scribbling and coloring.</li> <li>How to maintain materials and tools.</li> </ul> </li> </ul>
	LE4	<p>Pattern and design lesson</p> <ul style="list-style-type: none"> <li>Transfer               <ul style="list-style-type: none"> <li>Engage in self-directed creative making.</li> <li>Share materials with others.</li> <li>Introduce students to pattern and design</li> </ul> </li> <li>Meaning               <ul style="list-style-type: none"> <li>Artists and designers balance experimentation and responsibility while developing and creating artworks.</li> </ul> </li> <li>Acquisition               <ul style="list-style-type: none"> <li>How to draw a variety of lines.</li> <li>How to draw a variety of organic and geometric shapes.</li> <li>The difference between scribbling and coloring.</li> <li>How to maintain materials and tools.</li> </ul> </li> </ul>

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Unit Overview

STAGE 1:  
Desired ResultsSTAGE 2:  
Assessment EvidenceSTAGE 3:  
Learning Plan

Unit Resources

## Critical Listening

## Established Goals

What Content Standards, Department, School and/or District related goal(s) will this unit address?

## Standards

Code	Standard
<b>National Core Arts Standards</b>	
<b>Music Traditional And Emerging Ensembles : 12</b>	
<b>Connecting</b>	
MU:CN11.0.E.HSIII	MTE - Connect #11 - Relate musical ideas and works to varied contexts and daily life to deepen understanding.: Relate artistic ideas and works with societal, cultural and historical context to deepen understanding.
<b>Responding</b>	
MU:Re7.2.E.HSIII	MTE - Analyze - Analyze how the structure and context of varied musical works inform the response.: Perceive and analyze artistic work.
MU:Re8.1.E.HSIII	MTE - Interpret - Support an interpretation of musical works that reflect creators'/performers' expressive intent.: Interpret intent and meaning in artistic work.

## Other Goals

Include department, school and/or district goals here to help you address your established goals

Code	Goal
<b>Learning Personalized</b>	
<b>Element 2: Cross-Disciplinary Outcomes</b>	
<b>Critical Thinking</b>	
LP-2-CrT-1	Apply a questioning eye
LP-2-CrT-2	Make predictions, articulate patterns, and draw conclusions
LP-2-CrT-3	Examine messages and stories presented

## Long-term Transfer Goal(s)

What kinds of long-term, independent accomplishments are desired?

Code	Transfer
No Long-term Transfer Goal(s) added	

## Understandings

What specifically do you want students to understand? What inferences should they make?

Code	Understanding
U1	The critical process of listening, describing, analyzing, interpreting, and evaluating leads to informed judgements regarding the relative merits of musical works.

## Essential Questions

What thought-provoking questions will foster inquiry, meaning making, and transfer?

Code	Essential Question
Q1	How do individuals develop and use criteria to assess works of music?
Q2	How does music relate to history and culture?

## Knowledge

What facts and basic concepts should students know and be able to recall?

Code	Knowledge
K1	Vocabulary related to music form, harmony, sound, melody, rhythm
K2	Familiarity with historical style periods and genres
K3	Significant composers and musical events

## Skills

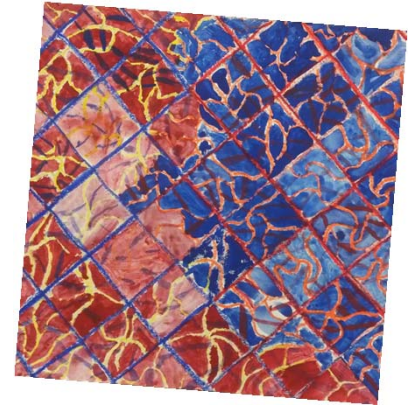
What discrete skills and processes should students be able to use?

Code	Skill
S1	Compare two disparate (or similar) pieces of music.
S2	Use prior knowledge of music to make inferences about unfamiliar pieces.
S3	Convey better understanding of composer's intent through performance.

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# How We Do It

- Revising curriculum
- Alignment with the new National Standards
- Vertical planning in the arts curriculum
- Little Kids Rock



# The Arts in Manchester

- Defining The Arts
- Who We Are
- What We Do
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- Next Steps



Manchester Public Schools

# Next Steps

Continue ...

- Working on developing curriculum units
- Creating "*Look Fors*" for The Arts
- Broadening the definition of what professional development looks like (Reflection)
- Offering choices at middle school level





# The Arts in Manchester



Manchester Public Schools

# Questions and Discussion



Manchester Public Schools

**New Policy****Series 5000, Students**

**POLICY REGARDING STUDENTS AND  
SECTION 504 OF THE REHABILITATION ACT OF 1973 AND  
TITLE II OF THE AMERICANS WITH DISABILITIES ACT OF 1990**

Section 504 of the Rehabilitation Act of 1973 (“Section 504”) prohibits discrimination against individuals with a disability in any program receiving Federal financial assistance. Similarly, Title II of the Americans with Disabilities Act of 1990 (“Title II” or “ADA”) prohibits discrimination against individuals with a disability by state and local governments. To be protected under Section 504 and the ADA (“collectively, “Section 504/ADA”), an individual must (1) have a physical or mental impairment that substantially limits one or more major life activities; (2) have a record of such an impairment; or (3) be regarded as having such an impairment.

In order to fulfill its obligation under Section 504/ADA, the Manchester Public Schools recognize a responsibility to avoid discrimination in policies and practices regarding its personnel, students, parents/guardians and members of the public who participate in school sponsored programs. In this regard, the Manchester Public Schools prohibit discrimination against any person with a disability in any of the services, programs or activities of the school system.

The school district has specific responsibilities under Section 504 to identify, evaluate and provide an educational placement for students who have a physical or mental impairment that substantially limits a major life activity. The school district’s obligation includes providing access to a free appropriate public education (“FAPE”) for students determined to be eligible under Section 504/ADA. 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 students without disabilities are met, and that are provided without cost (except for fees imposed on nondisabled students/parents).

If the parent/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 his/her child, the parent/guardian has a right to request an impartial due process hearing.

In addition, a student or parent/guardian of a student may also file an internal grievance/complaint on these issues or any other type of discrimination on the basis of disability by or within the district by utilizing the grievance/complaint procedures outlined in the Board’s Administrative Regulations Regarding Students and Section 504 of Rehabilitation Act of 1973 and Title II of Americans with Disabilities Act, and/or may file a complaint with the Office for Civil Rights, U.S. Department of Education (“OCR”):

Office for Civil Rights, Boston Office  
U.S. Department of Education  
8<sup>th</sup> Floor  
5 Post Office Square  
Boston, MA 02109- 3921  
(617) 289-0111

Anyone who wishes to file a grievance/complaint with the district, or who has questions or concerns about this policy, should contact Ms. Sarah Burke, Director of Pupil Services, the Section 504/ADA Coordinator for the Manchester Public Schools, at phone number 860-647-5041.

Legal References:

29 U.S.C. §§ 705, 794  
34 C.F.R. Part 104  
42 U.S.C. § 12101 et seq.  
28 C.F.R. Part 35

*Protecting Students with Disabilities, Frequently Asked Questions About Section 504 and the Education of Children with Disabilities*, Office for Civil Rights (March 17, 2011), available at <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)

REVISED: February, 2017

**ADMINISTRATIVE REGULATIONS REGARDING STUDENTS  
AND SECTION 504 OF THE REHABILITATION ACT OF 1973  
AND TITLE II OF THE AMERICANS WITH DISABILITIES ACT OF 1990**

Manchester Board of Education Section 504/ADA Grievance/Complaint  
Procedures Regarding Discrimination against Students on the Basis of Disability

Section 504 of the Rehabilitation Act of 1973 (“Section 504”) and Title II of the Americans with Disabilities Act of 1990 (“Title II” or “ADA”) (collectively, “Section 504/ADA”) prohibit discrimination on the basis of disability. For the purposes of Section 504/ADA, 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.

**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, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working. A major life activity also includes the operation of a major bodily function, such as the functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive systems. The operation of a major bodily function includes the operation of an individual organ within a body system.

**Mitigating Measures:** include, but are not limited to, (a) medication, medical supplies, equipment, appliances, low-vision devices (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics including limbs and devices, hearing aid(s) and cochlear implant(s) or other implantable hearing devices, mobility devices, oxygen therapy equipment and supplies; (b) use of assistive technology; (c) reasonable modifications or auxiliary aids or services; (d) learned behavioral or adaptive neurological modifications; or (e) psychotherapy, behavioral therapy, or physical therapy.

**Physical or Mental Impairment:** (a) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems, such as: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin, and endocrine or (b) any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disability. Physical or mental impairment includes, but is not limited to, contagious and noncontagious diseases and conditions such as the following: orthopedic, visual, speech, and hearing impairments, and cerebral

palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, intellectual disability, emotional illness, dyslexia and other specific learning disabilities, Attention Deficit Hyperactivity Disorder, Human Immunodeficiency Virus infection (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

## **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/ADA 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 a complaint involves 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/ADA 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 actions to prevent retaliation as a result of filing a complaint or the participation in an investigation of a complaint.
- D. If the Section 504/ADA 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 in accordance with these procedures.
- 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 witnesses or individuals relevant the complaint;

5. A detailed statement describing the circumstances in which the alleged discrimination occurred; and
6. The 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.

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 have relevant information, and obtain any relevant documents the complainant may have;
3. Provide the complainant with a copy of the applicable Board Section 504/ADA Policy and these administrative regulations;
4. Conduct an investigation that is adequate, reliable, and impartial. Investigate the factual basis for the complaint, including conducting 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/ADA 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/ADA;
7. 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. If fixed timeframes cannot be met, complainant will receive notice and interim measures may be implemented as necessary (see subparagraph 6);
8. Ensure that appropriate corrective action is taken whenever allegations are verified. When allegations are verified, ensure that measures to remedy the effects of the discrimination are appropriately considered, and

offered, when appropriate. Corrective action should include steps to avoid continuing discrimination.

9. In the event the investigator concludes that there is no violation of Section 504/ADA, the district may attempt to resolve the complainant's ongoing concerns, if possible.

- 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 the complainant 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 information would change the investigator's determination in the case. Failure to provide all such information 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 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 his/her decision within ten (10) school days following the receipt of the written request for review.

### **III. Grievance/Complaint Resolution Procedures for Complaints Involving a Student's Identification, Evaluation 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/ADA Coordinator submit the complaint directly to an impartial hearing officer, and request a hearing in accordance with the provisions of subsection D (below).**

#### Drug/Alcohol Violations

If a student with a disability violates the Board's policies relative to the use or possession of illegal drugs or alcohol, the Board may take disciplinary action against such student for his/her illegal use or possession of drugs or alcohol to the same extent that the Board would take disciplinary action against nondisabled students. Such disciplinary action is not subject to the complaint or due process procedures outlined below.

#### **A. Submission of Complaint to Section 504/ADA 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/ADA Coordinator within thirty (30) school days of the alleged date that the dispute regarding the student's identification, evaluation and/or education placement arose. Timely reporting of complaints facilitates the resolution of potential educational disputes.

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 and/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/ADA 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/ADA 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 complainant and any persons named 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/ADA Coordinator.

- e. In the event that that the Section 504/ADA 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 Schools

1. If the complainant is not satisfied with the findings and/or resolution offered as a result of the Section 504/ADA Coordinator's review, the complainant 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 information would change the investigator's determination in the case. Failure to provide all such information may result in the denial of the review.
2. The Superintendent shall review the complaint and any relevant documents maintained by the Section 504/ADA Coordinator or other investigator and shall consult with the Section 504/ADA Coordinator or other investigator regarding attempts to resolve the complaint. The Superintendent also shall 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) school days following his/her receipt of the written request for review.
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 neutral mediator or to an impartial hearing officer. This request for mediation or a hearing 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:

A parent/guardian or student aged 18 or older may request mediation with a neutral mediator to attempt to resolve a disagreement with the decisions made by the professional staff of the school district with respect to the identification, evaluation or educational placement of the student.

1. A request for mediation regarding a student's identification, evaluation or educational placement under Section 504 should be forwarded to the district's Section 504/ADA Coordinator within thirty (30) school days of the alleged date that the dispute regarding the student's identification, evaluation, and/or education placement arose or within fifteen (15) school days of the Superintendent's decision in reviewing a complaint handled through the grievance/complaint procedure described in Section III.B, above.
2. The request for mediation concerning a disagreement relating to 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 and/or placement; and
  - f. Remedy requested.
3. Upon receipt of a request for mediation, the Section 504/ADA Coordinator shall:
  - i. Forward a copy of the request for mediation to the Superintendent of Schools;
  - ii. Retain a neutral mediator who is knowledgeable about the requirements of Section 504/ADA and has an understanding of a free appropriate public education ("FAPE") under Section 504 and the distinctions between and among Section 504, the ADA and the Individuals with Disabilities Education Act ("IDEA").
4. 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.
5. 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.
6. All statements, offers, or discussions and/or information shared during the mediation process, but not available from other means, shall be confidential, and may not be used in a subsequent hearing or other administrative or judicial proceeding related to the disagreement that is the subject of the mediation.
7. 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:

An impartial due process hearing is available to a parent/guardian of a student, or a student aged 18 years of age or older who disagrees with the decisions made by the professional staff of the school district with respect to the identification, evaluation or educational placement of the student, or otherwise makes a claim of discrimination relating to the identification, evaluation or educational placement of the student.

1. The request for mediation concerning a disagreement relating to 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 and/or placement; and
  - f. Remedy requested.
2. Upon receipt of a request for an impartial due process hearing, the Board shall retain an impartial hearing officer. The impartial hearing officer must be someone who is knowledgeable about the requirements of Section 504/ADA and has an understanding of a free appropriate public education ("FAPE") under Section 504 and the distinctions between and among Section 504, the ADA and the Individuals with Disabilities Education Act ("IDEA").
3. The impartial hearing office shall schedule a pre-hearing conference with the District and the parent(s) or student aged 18 years of age or older (or legal counsel for the student) to identify the issue(s) for hearing, set the hearing schedule and address other administrative matters related to the hearing, including the option for mediation.
4. The impartial hearing officer shall inform all parties involved of the date, time and place of the hearing and of the right to present witnesses, other evidence and to be represented by legal counsel at each party's own expense, if desired.
5. The impartial hearing officer shall hear all aspects of the complainant's complaint concerning the identification, evaluation 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/ADA Coordinator.
6. An impartial hearing officer under Section 504 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.

7. The time limits noted herein may be extended for good cause shown for reasons including, but not limited to, permitting more time for thorough review of the record, presentation of evidence or opportunity for resolution.

**IV. The Section 504/ADA Coordinator for this district is:**

**Ms. Sarah Burke  
Director of Pupil Services  
45 North School St.  
Manchester, CT  
860-647-5041**

**V. Complaints to 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, 8<sup>th</sup> Floor, 5 Post Office Square, Suite 900, Boston, MA 02109-0111 (TELEPHONE NUMBER (617) 289-0111); <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>.

*Note: School districts are required by law to provide notice of parent/student rights under § 504. Reference to ADA is also included in this notice because there is overlap between § 504 and the ADA. This notice is not part of the policy, but must be disseminated annually to parents in the student handbook.*

## **MANCHESTER PUBLIC SCHOOLS**

### **NOTICE OF PARENT/STUDENT RIGHTS UNDER SECTION 504 OF THE REHABILITATION ACT OF 1973 AND TITLE II OF THE AMERICANS WITH DISABILITIES ACT OF 1990**

Section 504 of the Rehabilitation Act of 1973 (“Section 504”) is a non-discrimination statute enacted by the United States Congress. Section 504 prohibits discrimination on the basis of disability by recipients of federal funds. Title II of the Americans with Disabilities Act (“ADA” or “Title II”) also prohibits discrimination on the basis of disability by state and local governments. To be protected under Section 504 and the ADA (“collectively, “Section 504/ADA”) as an individual with a disability, an individual must (1) have a physical or mental impairment that substantially limits one or more major life activities; (2) have a record of such an impairment; or (3) be regarded as having such an impairment.

Under Section 504, the school district has specific responsibilities to identify, evaluate and provide an educational placement for students with a disability. The school district’s obligation includes providing such eligible students a 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 eligible for regular or special education and related services under Section 504 if it is determined that he/she has a mental or physical disability that substantially limits one or more 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 have a disability and be covered by Section 504/ADA 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 18 years of age or older 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 Manchester 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, at no expense to you and to have an eligibility determination under Section 504 (and if eligible, placement decisions made) 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. For your child to receive reasonable accommodations and services to allow your child an equal opportunity to participate in school, extra-curricular 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, to have your request and related information considered by the team, a decision made by the team, and if denied, an explanation for the team's decision/determination;
13. To request an impartial due process 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/complaint with the district's designated Section 504/ADA Coordinator to resolve complaints of discrimination including, but not limited to, claims of discrimination directly related to the identification, evaluation or placement of your child; and

15. To file a formal complaint with the U.S. Department of Education, Office for Civil Rights.

The Section 504/ADA Coordinator for this district is:

**Ms. Sarah Burke**  
**Director of Pupil Services**  
**45 North School St.**  
**Manchester, CT**  
**860-647-5041**

For additional assistance regarding your rights under Section 504 and Title II of the Americans with Disabilities Act, you may contact:

Office for Civil Rights, Boston Office  
U.S. Department of Education  
8<sup>th</sup> Floor  
5 Post Office Square  
Boston, MA 02109-0111  
(617) 289-0111.



**Personnel****4012**

**POLICY REGARDING EMPLOYEES AND  
SECTION 504 OF THE REHABILITATION ACT OF 1973 AND  
TITLE II OF THE AMERICANS WITH DISABILITIES ACT OF 1990**

Section 504 of the Rehabilitation Act of 1973 (“Section 504”) prohibits discrimination against individuals with a disability in any program receiving Federal financial assistance. Similarly, Title II of the Americans with Disabilities Act of 1990 (“Title II” or “ADA”) prohibits discrimination against individuals with a disability by state and local governments. To be protected under Section 504 and the ADA (“collectively, “Section 504/ADA”), an individual must (1) have a physical or mental impairment that substantially limits one or more major life activities; (2) have a record of such an impairment; or (3) be regarded as having such an impairment.

In order to fulfill its obligation under Section 504/ADA, the Manchester Public Schools recognize a responsibility to avoid discrimination in policies and practices regarding its personnel, students, parents/guardians and members of the public who participate in school sponsored programs. In this regard, the Manchester Public Schools prohibit discrimination against any person with a disability in any of the services, programs or activities of the school system.

Employees who are interested in requesting or discussing reasonable accommodations for a disability should contact:

**Ms. Sarah Burke  
Director of Pupil Services  
45 North School St.  
Manchester, CT  
860-647-5041**

Any employee may file an internal grievance/complaint regarding discrimination on the basis of disability by or within the district by utilizing the grievance/complaint procedures outlined in the Board’s Administrative Regulations Regarding Employees and Section 504 of Rehabilitation Act of 1973 and Title II of Americans with Disabilities Act, and/or may file a complaint with the Office for Civil Rights, U.S. Department of Education (“OCR”):

Office for Civil Rights, Boston Office  
U.S. Department of Education  
8<sup>th</sup> Floor  
5 Post Office Square  
Boston, MA 02109- 3921  
(617) 289-0111

Employees may also file a complaint regarding employment discrimination on the basis of disability with the Equal Employment Opportunity Commission, Boston Area Office, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203 (TELEPHONE NUMBER 800-669-4000).

Employees may also file a complaint with the Connecticut Commission on Human Rights and Opportunities, 25 Sigourney Street, Hartford, CT 06106 (TELEPHONE NUMBER 800-477-5737).

Anyone who wishes to file a grievance/complaint with the district, or who has questions or concerns about this policy, should contact Ms. Sarah Burke, Director of Pupil Services the Section 504/ADA Coordinator for the Manchester Public Schools, at phone number 860-647-5041.

#### Legal References:

29 U.S.C. §§ 705, 794  
34 C.F.R. Part 104  
42 U.S.C. § 12101 et seq.  
28 C.F.R. Part 35

Revised, February, 2017

**ADMINISTRATIVE REGULATIONS REGARDING EMPLOYEES  
AND SECTION 504 OF THE REHABILITATION ACT OF 1973  
AND TITLE II OF THE AMERICANS WITH DISABILITIES ACT OF 1990**

Manchester Board of Education Section 504/ADA Grievance/Complaint  
Procedures Regarding Discrimination Against Employees

Section 504 of the Rehabilitation Act of 1973 ("Section 504") and Title II of the Americans with Disabilities Act of 1990 ("Title II" or "ADA") (collectively, "Section 504/ADA") prohibit discrimination on the basis of disability. For the purposes of Section 504/ADA, 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.

**I. Definitions**

**Major life activities:** include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working. A major life activity also includes the operation of a major bodily function, such as the functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive systems. The operation of a major bodily function includes the operation of an individual organ within a body system.

**Mitigating Measures:** include, but are not limited to, (a) medication, medical supplies, equipment, appliances, low-vision devices (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics including limbs and devices, hearing aid(s) and cochlear implant(s) or other implantable hearing devices, mobility devices, oxygen therapy equipment and supplies; (b) use of assistive technology; (c) reasonable modifications or auxiliary aids or services; (d) learned behavioral or adaptive neurological modifications; or (e) psychotherapy, behavioral therapy, or physical therapy.

**Physical or Mental Impairment:** (a) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems, such as: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin, and endocrine or (b) any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disability. Physical or mental impairment includes, but is not limited to, contagious and noncontagious diseases and conditions such as the following: orthopedic, visual, speech, and hearing impairments, and cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, intellectual disability, emotional illness, dyslexia and other specific learning disabilities, Attention Deficit Hyperactivity Disorder, Human Immunodeficiency Virus infection (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

## **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/ADA 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. Individuals wishing to make a complaint about discrimination against students on the basis of disability should be referred to the district's Section 504/ADA policies and regulations regarding students.
- B. 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 actions to prevent retaliation as a result of filing a complaint or the participation in an investigation of a complaint.
- C. If the Section 504/ADA 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 in accordance with these procedures.
- D. 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 witnesses or individuals relevant the complaint;
  - 5. A detailed statement describing the circumstances in which the alleged discrimination occurred; and
  - 6. The 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.

- 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 have relevant information, and obtain any relevant documents the complainant may have;
  3. Provide the complainant with a copy of the applicable Board Section 504/ADA Policy and these administrative regulations;
  4. Conduct an investigation that is adequate, reliable, and impartial. Investigate the factual basis for the complaint, including conducting 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/ADA 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/ADA;
  7. 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. If fixed timeframes cannot be met, complainant will receive notice and interim measures may be implemented as necessary (see sub-paragraph 6);
  8. Ensure that appropriate corrective action is taken whenever allegations are verified. When allegations are verified, ensure that measures to remedy the effects of the discrimination are appropriately considered, and offered, when appropriate. Corrective action should include steps to avoid continuing discrimination.
  9. In the event the investigator concludes that there is no violation of Section 504/ADA, the district may attempt to resolve the complainant's ongoing concerns, if possible.
- 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 the complainant 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

information would change the investigator's determination in the case. Failure to provide all such information 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 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 his/her decision within ten (10) school days following the receipt of the written request for review.

**III. The Section 504/ADA Coordinator for this district is:**

**Ms. Sarah Burke  
Director of Pupil Services  
45 North School St.  
Manchester, CT  
860-647-5041**

**IV. Complaints to Federal or State 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, 8<sup>th</sup> Floor, 5 Post Office Square, Suite 900, Boston, MA 02109-0111 (TELEPHONE NUMBER (617) 289-0111); <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>. Employees may also file a complaint regarding employment discrimination on the basis of disability with the Equal Employment Opportunity Commission, Boston Area Office, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203 (TELEPHONE NUMBER 800-669-4000) or the Connecticut Commission on Human Rights and Opportunities, 25 Sigourney Street, Hartford, CT 06106 (TELEPHONE NUMBER 800-477-5737).

**SECTION 504/ADA DISCRIMINATION  
GRIEVANCE/COMPLAINT FORM FOR NON-STUENTS**

(This form is intended to be used if an individual has grievance/complaint under Section 504/ADA alleging discrimination on the basis of a disability).

1. Name of Complainant:\_\_\_\_\_ Date:\_\_\_\_\_

2. Contact Information for Complainant:

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Home Tel. #)

\_\_\_\_\_  
(Cell # or Work #)

3. Name of Covered Individual: \_\_\_\_\_

4. Address of Covered Individual (if different from above):

\_\_\_\_\_  
\_\_\_\_\_

5. Relationship to School (e.g., position, visitor, parent) (if applicable):

\_\_\_\_\_

6. Please describe the nature of your complaint:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Proposed resolution or corrective action you wish to see taken with regard to the stated issues:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_