

SECTION 504 OF THE REHABILITATION ACT **POLICY AND PROCEDURES**

The Chariho Regional School District Committee affirms that no qualified person shall, solely by reason of his/her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity conducted by the Chariho Regional School District.

The Chariho Regional School District Committee recognizes that the term "handicapped person" means:

1. Any person with a physical or mental impairment which substantially limits a major life activity.
2. Any person with a record of such impairment or
3. Any person regarded as having such impairment.

The Chariho Regional School District Committee is committed to the fair and equitable treatment of all handicapped persons and provides assurance that such eligible handicapped person shall not be excluded from programs or be discriminated against on the basis of such handicap in the fulfillment of his or her program participation.

To assure non-discrimination, the Chariho Regional School District Committee has established a 504 Referral Process, a Parental Right notice and a 504 Grievance Procedure which is available in every school building. All questions and concerns should be addressed to the appropriate building administrator.

The Chariho Regional School District also adopts the Referral Process, Parental Right, and Grievance Procedure of Section 504 of the Rehabilitation Act, which is attached hereto and made a part of this policy.

PLEASE NOTE: Any person who feels he/she may have been discriminated against on the basis of his/her handicap may follow the Chariho Regional School District procedure **OR** contact the Office of Equity and Access, 255 Westminster Street Providence, RI 02903 (401-222-4600 x 2330) **OR** contact the U.S. Department of Education Office of Civil Rights, 5 Post Office Square, 8th Floor, Boston, MA 02109-3921.

CHARIHO REGIONAL SCHOOL DISTRICT
504 EDUCATIONAL GRIEVANCE PROCEDURE

1. A 504 educational grievance shall mean a complaint by a student, an employee or the parent of a student in the elementary, middle or secondary schools operated by the Chariho Regional School District in which there is an allegation that educational discrimination on the basis of handicap has occurred.
2. All grievances, which may include the identity of witnesses, shall be submitted in writing, signed by the complainant, and be processed in accord with the Appeals Policy of the Chariho Regional School District. Assistance is available by calling Kristen Merritt, Human Resources Administrator at 364-7575.
3. In the event the complainant feels the decision of the Chariho Regional School District Committee is not satisfactory, the complainant may file directly with:

*U.S. Department of Education - OCR
5 Post Office Square, 8th Floor
Boston, MA 02109-3921

Tel.: (617) 289-0111
Fax: (617) 289-0150

*Complainants may file directly with OCR at any time during the process.

CHARIHO REGIONAL SCHOOL DISTRICT 504 EDUCATIONAL REFERRAL PROCESS

The following represents the Chariho Regional School District's 504 Educational Referral Process:

1. The principal receives a referral from parent, individual student, professional, or outside agency. Notice of such referral shall be forwarded to the District's 504 Coordinator.
2. The principal reviews the referral data and determines (A) the necessity to convene a 504 Education Committee and (B) the composition of the committee (if warranted).
3. If a 504 Education Committee is required, the committee, together with the principal; first determines jurisdiction/applicability of the 504 process to the case. If jurisdiction is confirmed and appropriate, the committee with the principal shall (A) determine eligibility under 504 and (B) determine the accommodations, modifications and/or support services necessary to meet the student's need - if any; and (C) reflects such within a Student Service Plan (when and if applicable/ required to address a discrimination present).
4. The principal implements and supervises those required support services and accommodations and/or Service Plan components.
5. Should the 504 committee determine that the provisions of Section 504 are not applicable; the principal will forward a letter to the referring person with an explanation for the decision and include a copy of the parental rights in that correspondence.

Section 504 of the Rehabilitation Act of 1973
PARENT/STUDENT RIGHTS IN IDENTIFICATION,
EVALUATION AND PLACEMENT

The following is a description of the rights granted by federal law to students with identified eligible 504 handicaps.

Parents, guardians and their child have the right to:

1. Take part in and receive benefits from public education programs without discrimination because of his/her handicapping condition;
2. Be advised by the school district of your rights under federal law;
3. Receive notice with respect to identification, evaluation, or placement;
4. Receive a free appropriate public education. This includes the right to be educated with non-handicapped students to the maximum extent appropriate. It also includes the right to have the school district make reasonable accommodations to allow equal opportunity to participate in school and school-related activities;
5. Be educated in facilities and receive services comparable to those provided non-handicapped students;
6. Receive special education and related services if (A) found to be eligible under (IDEA); (B) if such is warranted and appropriate to avoid educational discrimination on the basis of handicap;
7. Evaluation, educational, and placement decisions made based upon a variety of information sources, and by persons who know the student, the evaluation data, and placement options;
8. Transportation provided to and from a district made alternative placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the district.
9. Be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the district;
10. Examine all relevant records relating to decisions regarding identification, evaluation, educational program, and placement;

11. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records;
12. A response from the school district to reasonable requests for explanations and interpretations of related records;
13. Request amendment of related student educational records if there is reasonable cause to believe that they are inaccurate, misleading or otherwise in violation of the privacy rights;
14. Request mediation, grievance procedure or an impartial due process hearing (as appropriate) related to decisions or actions regarding identification, evaluation, educational program or placement;
15. Be represented by legal counsel and request payment of reasonable attorney fees if you prevail on your claim;

The person in this district who is responsible for assuring that the District complies with Section 504 is Kristen Merritt, Human Resources Administrator.

Telephone Number 364-7575 x2029

The address for the Northeast Regional Office of Civil Rights is:

U.S. Department of Education - OCR
5 Post Office Square, 8th Floor
Boston, MA 02109-3921

Tel.: (617) 289-0111

Fax: (617) 289-0150

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