

Students

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, Wallingford Public Schools recognizes 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, Wallingford Public Schools prohibits 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, any student and/or parent/guardian wishing to file a complaint on these issues or regarding any form of discrimination (including harassment) on the basis of disability may obtain a copy of the Board’s Section 504 grievance/complaint procedures which are outlined in the Board’s Administrative Regulations Regarding Students and Section 504 of Rehabilitation Act of 1973 and Title II of American with Disabilities Act. These regulations accompany Board Policy #5145.4 and are available online at www.wallingford.k12.ct.us or upon request from the main office of any district school. Any complaints of discrimination and/or harassment based on disability will be handled in accordance with these procedures. If a complaint involves allegations of discrimination or harassment based on other reasons, such complaints will be handled under other appropriate policies (e.g. Policy #5145.5 - Exploitation/Sexual/Harassment and Policy #5145.4 - Americans with Disabilities Act/Section 504).

A student, parent (guardian) or other individual may also file a complaint with the Office for Civil Rights, U.S. Department of Education (“OCR”):

AMERICANS WITH DISABILITIES ACT / SECTION 504

5145.4

Students

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109-3921
(617) 289-0111
<http://www2.ed.gov/about/offices/list/ocr/docs/owto.html>

Anyone who has questions or concerns about his policy, or would like a copy of the Board's grievance/complaint procedures related to claims involving a disability, may also contact the Director of Pupil Personnel Services and Section 504/ADA Coordinator for Wallingford Public Schools, at:

100 South Turnpike Road
Wallingford, CT 06492
Contact Information is also listed on the Wallingford Public Schools website.
<http://www.wallingford.k12.ct.us>
(203) 294-5948

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

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