

### Policy

Each student shall have the right to an equal opportunity to receive a suitable program of educational experiences free of discrimination on account of race, color, sex, religion, handicap or national origin.

Each student shall have access to a level and quality of educational programs and experiences appropriate to such student's individual needs, talents and abilities. USD#2 shall allocate resources to provide each student with opportunities for developing such student's intellectual abilities and special talents.

USD#2 shall guarantee the right of freedom of speech to all students provided that the expression of this right does not disrupt the educational process, coerce others to participate in a particular mode of expression, or violate the rights of those who disagree with a given point of view. School rules aimed at maintenance of order and discipline that are necessary to achieve and maintain an environment conducive to learning shall prohibit student speech if such speech:

- is slanderous; *i.e.*, spoken maliciously or without regard to the truth of assertion;
- clearly, immediately incites others to damage property or physically harm others; or
- materially and substantially interferes with the normal operation of the school.

Students shall have the right, within reasonable guidelines developed by USD#2 that are not arbitrary, erratic or unfair, to invite and hear speakers of their choosing.

USD#2 shall provide to any student who so wishes an opportunity for silent meditation at the start of the school day.

Students shall have the right to register with the school principal any group organized for a purpose not prohibited by law, if the group submits a list of members designated as contacts, its constitution and bylaws, and the constitution and bylaws of any off-campus organization with which it is affiliated.

The rights accorded to and the consent required of the parent of a student under the Family Educational Rights and Privacy Act of 1974 shall only be accorded to and required of an eligible student.

School rules developed by USD#2 to maintain order and discipline as may be necessary to achieve and maintain an environment conducive to learning shall not be unreasonable, arbitrary or capricious.

All student rights shall carry with them corresponding responsibilities, the basic responsibility of all students to exercise individual rights in a manner that does not interfere with the rights of other persons. Each student shall have the responsibility to ensure that the educational process is not disrupted by one's personal expression. All students shall have the responsibility to keep themselves informed of the rules that have been developed by USD #2 to maintain an atmosphere conducive to education.

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**Annual  
Notification**

USD#2 shall give the parent or guardian of the student, or the emancipated minor or a student 18 years of age or older, or the surrogate parent and the Commissioner of DCF or designee on behalf of any student under the guardianship of the Commissioner, an annual notice by such means as is reasonably likely to inform them of the following:

- their rights under the "Family Educational Rights and Privacy Act," the federal regulations under "Privacy Rights of Parents and Students" and USD#2 policy on "Privacy Rights of Parents and Students" and the locations where copies of these policies may be obtained; and
- the right to file complaints in writing with the Department of Education, Office of the Secretary, concerning alleged failures by USD#2 to comply with the requirements of the "Family Educational Rights and Privacy Act" and the regulations under the "Privacy Rights of Parents and Students."

Immediately upon the formal identification of any child as a child requiring special education and at each planning and placement team meeting for such child, the responsible local or regional board of education shall inform the parent or guardian or surrogate parent or, in the case of a pupil who is an emancipated minor or 18 years of age or older, the pupil of the following:

- the laws relating to special education;
- the rights of such parent, guardian, surrogate parent or pupil under such laws and the regulations adopted by the State Board of Education relating to special education, including the right of a parent, guardian or surrogate parent to withhold from enrolling such child in kindergarten, in accordance with Conn. Gen. Stat. §10-184; and
- any relevant information and resources relating to individualized education programs created by the Department of Education, including, but not limited to, information relating to transition resources and services for high school students.

Legal Reference: Conn. Gen Statutes §10-76d (a) (10) (D).

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**Right to  
Inspect and  
Review**

The parent or guardian of a student, or an emancipated minor or a student 18 years of age or older, or the Commissioner of DCF or designee on behalf of any student under the custody of the Commissioner or the surrogate parent, or a representative of the parent shall have the right to be entitled to knowledge of and access to inspect and review the materials maintained in the student's cumulative education records.

USD#2 shall presume that the parent has the authority to inspect and review records relating to his or her child unless DCF has been advised that the parent does not have the authority under applicable state law governing such matters as guardianship, separation and divorce.

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### Student's Rights

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#### **Right to Inspect and Review** (Continued)

Education records means those records which are directly related to a student and are maintained by USD#2 or by a party acting for USD#2. The education records do not include: (1) the records of instructional, supervisory and administrative personnel and educational personnel which are in the sole possession to the maker of the record thereof and are not accessible and shall not be revealed to any other individual except a substitute or as otherwise provided by law and (2) any information that is considered privileged under Conn. Gen. Stat. §10-154a.

Any of the aforementioned parties shall submit a written, dated request signed by the individual requesting an inspection and review. This request shall be addressed to the person designated as the Custodian of Records, that is, the designated administrator of USD #2. USD#2 shall comply with such a request within a reasonable period of time, but in no case more than four business days after the request has been made. In the case of a request to inspect and review the records of a student who requires or may require special education, USD#2 shall comply with such request within three school days of such request if the request is in order to prepare for a meeting regarding an IEP or any due process proceeding.

The right to inspect and review education records includes: (1) the right to a response from USD#2 to reasonable requests for explanations and interpretations of the records;(2) the right to obtain copies of the records from USD#2 where failure of USD#2 to provide copies would effectively prevent one of the aforementioned parties from exercising the rights to inspect and review the education records; and (3) the right to be provided and be allowed to keep a free copy of any and all parts of the education record of the student. Additional copies of any part of the education record may be obtained for a fee not to exceed 25 cents per page.

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#### **Amendment of Education Records**

The parent or guardian of a student or an emancipated minor or a student 18 years of age or older, or the Commissioner of DCF or designee on behalf of any student under the guardianship of the Commissioner, or the surrogate parent who believes that information contained in the education records of the student is inaccurate, misleading or violates the privacy or other rights of the student may request that USD #2 amend the records. This request shall be in writing, signed by the party that is requesting the amendment of the education record, dated and directed to the person designated as the Custodian of Records, that is, the designated administrator for the USD #2 school or unit.

The Custodian of Records shall decide whether to amend the education records of the student in accordance with the request within a reasonable period of time of receipt of the request. Unless extraordinary circumstances exist, this response shall be given within two school weeks.

If the decision is not to amend the data in accordance with the request, the Custodian of Records shall, in writing, so inform the party that requested the amendment to the educational record of the refusal and advise the party of the right to a hearing.

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**Hearing to Amend Education Records**

USD#2 shall, on request, provide an opportunity for a hearing in order to challenge the content of a student's education records to ensure that information in the education records of the student is not inaccurate, misleading or otherwise in violation of the privacy or other rights of students. The request shall be made in writing, signed by the party who is requesting the hearing, dated and directed to the Custodian of Records.

The hearing shall include the following elements:

- The hearing shall be conducted by a party appointed by USD#2 Superintendent who does not have a direct interest in the outcome of the hearing.
- The hearing shall be held within a reasonable period of time after USD #2 had received the request. Unless extraordinary circumstances exist, the hearing shall be held within 30 school days.
- The party that requested the hearing shall be given notice of the hearing, unless extraordinary circumstances exist, no less than five school days prior to the hearing.
- The notice shall include: (1) a statement of the date, place, time and nature of the hearing; (2) a statement of the legal authority and jurisdiction under which the hearing is to be held; (3) a reference to the particular sections of the statutes and regulations involved; and (4) at least, a short and plain statement of matters asserted.
- A detailed statement of the issues involved shall be provided at the hearing, if not included in the notice.
- The party that requested the hearing shall be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by the individuals of his or her choice at his or her own expense, including an attorney.
- The decision of USD #2 shall be based solely upon the evidence presented at the hearing.
- The record shall include: (1) all pleadings, motions and intermediate rulings; (2) a summary of the evidence received or considered; (3) questions and offers of proof, objections and rulings thereon; (4) any decision, opinion or report by the party presiding at the hearing.
- USD #2 shall render its decision in writing within a reasonable period of time not to exceed 90 calendar days following the conclusion of the hearing.

If, as a result of the hearing, USD #2 decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of students, it shall amend the education records of the student accordingly and so inform the party that requested the hearing in writing.

If, as a result of the hearing, USD #2 decides that the information is not inaccurate, misleading or otherwise in violation of the privacy or other rights of students, it shall inform the party that requested the hearing of the right to place in the education records of the student a statement commenting upon the information in the education records and setting forth any reasons for disagreeing with the decision of USD #2. Such statement shall be maintained in the education record as long as the student's record is maintained and shall be disclosed whenever the student's record is disclosed.

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**Appeals Process**

A request for an appeal hearing for a student who has not been recommended for earned credit or for an annual promotion or who has been retained may be made in writing to the School Principal by:

- the parent or guardian of the student;
- the student, if he or she is an emancipated minor;
- a student aged 18 years or older;
- the Commissioner of DCF or designee; or
- the surrogate parent appointed by the Commissioner of Education to represent the student in special education matters.

A standing appeals committee consisting of one teacher, one administrator and one Pupil Personnel Specialist shall be selected from the student's school by the school Principal to serve on the committee. Other professional staff shall be invited to attend appeal hearings as appropriate.

An appeal of the decision of the standing committee shall follow the procedures outlined in the DCF USD #2, "Privacy Rights of Students and Parents."

**Legal reference:** Conn. Gen. Stat, §10-221(b).

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**Title IX: Prohibition of Sex Discrimination**

DCF and USD #2 shall maintain a school environment that promotes teaching and learning and is free from sex discrimination. In addition, DCF facilities at which USD #2 schools are located shall similarly maintain environments that are free from sex discrimination.

**Legal reference:** 45 CFR Part 106.

**Note:** Not all instances will constitute sexual harassment in the educational setting. The behavior and context must fit within the legal definition of sexual harassment as envisioned in Title IX. However, even if the conduct is not sexual harassment under Title IX, it may violate other federal or state laws, agency policy, or facility rules, and the accused may still be subject to sanctions, including discipline.

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**Sexual Harassment Complaints: Jurisdiction to Investigate**

The Director of the DCF Division of Diversity and Equity is responsible, under state law, for all DCF investigations of discrimination complaints, including sexual harassment. The contact information for the Division of Diversity and Equity is: 505 Hudson Street, Hartford, CT 06106 (860-550-6303).

**Complaints may be filed utilizing the DCF-2121, "Title IV: Initial Complaint Form".**

The Title IX Coordinators, in conjunction with the Director of Diversity and Equity, have responsibility for and jurisdiction over investigations of alleged sexual harassment occurring in the educational setting, including in a facility with a USD #2 school during non-school hours.

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**Sexual Harassment Complaints: Jurisdiction to Investigate**  
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If the sexual harassment is alleged to have been perpetrated by a staff member, DCF’s Division of Human Resources may also conduct an investigation. In addition, sexual harassment by a student may also be investigated as a student disciplinary matter. To the extent possible, DCF staff shall coordinate investigations and share information to ensure full and efficient fact-finding.

Outside agencies, such as law enforcement, the state Commission on Human Rights and Opportunities, the federal Equal Employment Opportunity Commission and the United States Department of Education Office of Civil Rights, may also investigate sexual harassment complaints falling within their respective jurisdictions.

**Cross Reference:** DCF Policy 7-1, “Office of Diversity and Equity Overview”.

**Sexual Harassment as Child Abuse or Neglect**

When a sexual harassment allegation raises the suspicion of abuse or neglect of a child, the District Title IX Coordinator, in conjunction with appropriate DCF senior management, shall:

- take immediate action to protect the complainant of the alleged abuse or neglect and
- report the abuse as required by law to the DCF Hotline.

**Sexual Harassment as a Crime**

Sexual conduct or behavior that may be in violation of criminal statutes shall be reported to law enforcement authorities by the appropriate DCF staff whether or not the internal sexual harassment investigation is complete.

**Grievance Process, Investigation and Resolution of Title IX Sexual Harassment Complaint**

Title IX of the Education Amendments of 1972 requires all schools to provide an internal grievance procedure for alleged victims of sexual harassment in the educational context. The Commissioner of DCF shall appoint an Agency Title IX Coordinator and a School Title IX Coordinator for each USD #2 school as the leads in the grievance process.

Complaint forms and procedures for filing a grievance shall be readily available to all employees and students in the administrative office of each USD #2 school and on the Diversity and Equity page of the DCF intranet.

A student or parent who believes he or she is the victim of sexual harassment should report such conduct to any DCF employee with whom he or she is comfortable. Any DCF employee receiving such a report, or any DCF employee with knowledge or belief of sexual harassment against a DCF student or parent, shall immediately report the alleged incident to a Title IX Coordinator.

Any DCF employee who fails to report or forward a complaint of sexual harassment to a Title IX Coordinator shall be subject to appropriate disciplinary action.

All complaints that are determined not to fall within the definition of sexual harassment for Title IX purposes may nonetheless be investigated by DCF Human Resources, the DCF Division of Diversity and Equity, law enforcement, Hotline or any other appropriate authority.

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**Title IX Coordinators** The Commissioner of DCF shall appoint the Director of the Division of Diversity and Equity as the Agency Title IX Coordinator responsible for investigating sexual harassment complaints involving USD #2 schools, and at least one School Title IX Coordinator for each school within the District.

School Title IX Coordinators shall take the lead in investigations of sexual harassment complaints, with the Agency Title IX Coordinator providing oversight, coordination and support.

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**Confidentiality** All DCF employees involved in a sexual harassment investigation shall respect the confidentiality of the complainant and the individual against whom the complaint is filed to the extent possible, consistent with DCF's legal obligations, and the necessity to investigate the complaint and take action, if warranted.

At the start of an investigation, the School Title IX Coordinator shall inform the complainant and accused that information may need to be shared to fully investigate the allegations and/or to protect the complainant and others.

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**Informal Title IX Complaint Resolution** If the complaint is non-severe, the USD #2 Superintendent and the Agency and School Title IX Coordinators, and other senior managers, as appropriate, shall discuss potential informal resolutions of the complaint.

If a potential informal resolution is deemed appropriate, the School Title IX Coordinator shall discuss it with the complainant. If the complainant is in agreement, the School Title IX Coordinator, in conjunction with appropriate DCF staff, shall take the actions necessary to implement the informal resolution.

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**Title IX Interim Actions** If an informal resolution cannot or should not be implemented, the School Title IX Coordinator shall recommend to the USD #2 Superintendent and the Agency Title IX Coordinator any interim steps necessary to protect the complainant prior to the completion of an investigation. Such discussions shall be documented in the file, and appropriate actions shall be taken.

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**Title IX initial Complaint Procedure** The complainant may contact any DCF employee to report sexual harassment. If the contacted employee is not a Title IX Coordinator, then that employee shall immediately contact the School Title IX Coordinator and assist the complainant in setting up a meeting.

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**Title IX  
Formal  
Investigation**

The School Title IX Coordinator shall schedule interviews with the complainant, accused and *any witnesses, and gather evidentiary material (such as documents and video recordings)* that is relevant to the investigation.

Interviewees shall be notified that they are permitted to have a representative or support person present if they wish.

Interviews shall be conducted in a non-threatening and confidential environment and thoroughly documented.

Interviewees may provide written statements if they wish, although reasonable efforts shall be made to supplement written statements with personal interviews.

Interviews may be conducted by telephone if face-to-face meetings are not reasonably possible. Interviewees shall be encouraged to suggest additional evidence and/or additional interviewees. All reasonable suggestions shall be followed up by the School Title IX Coordinator.

Interviews shall be completed, and documentation gathered within ten calendar days of the date of the complaint whenever possible.

At any point prior to final disposition, the School Title IX Coordinator shall gather any additional information as requested by the Agency Title IX Coordinator and/or the USD #2 Superintendent.

The School Title IX Coordinator shall assist in coordinating any related interviews by law enforcement, facility security, and/or DCF Human Resources.

Note: The criminal civil and labor rights of all participants must be strictly observed and, therefore, it may not be possible to conduct joint interviews

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**Documenting  
the Findings  
of the  
Title IX  
Investigation**

The School Title IX Coordinator shall review all of the evidence and statements and draft a report.

A consultation with the DCF Office of Legal Affairs is encouraged. Within five business days of the date of the last interview, the School Title IX Coordinator shall submit the draft report to the USD #2 Superintendent, the Principal, and the Agency Title IX Coordinator.

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#### **Recommendations and Final Decision for Title IX Complaints**

Within three business days of the submission of the draft report, the Agency Title IX Coordinator, the School Title IX Coordinator, the USD #2 Superintendent, and the School Principal shall meet to discuss the investigation and to develop recommendations.

The discussion and development of recommendations shall be documented for the file, including differing opinions, if any. All recommendations shall take into account the ages of the complainant and the accused, the context of the behavior, the severity of the incident, and whether a pattern is apparent. All resolutions shall be reasonably calculated to end sexual harassment.

The Agency Title IX Coordinator shall immediately report the findings and recommendations to the DCF Commissioner. The DCF Commissioner shall make the final decision regarding appropriate actions to mitigate the sexual harassment.

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#### **Disposition of the Title IX Complaint**

Within three business days of the final decision, the Agency Title IX Coordinator shall draft appropriate written notifications to the complainant, the accused, and relevant DCF management. The notification shall include a summary of the investigation that is sufficient to inform the recipient of the nature of the complaint, why the behavior complained of does or does not constitute sexual harassment as defined in the context of Title IX, and the final decision and resolution.

The complainant and the accused shall be advised in writing of their rights to appeal the final decision by sending a written request within ten days of receipt of the written notification to the Commissioner of DCF.

The Agency Title IX Coordinator and/or the School Title IX Coordinator shall personally meet with complainant and, where appropriate, with the accused, to discuss the final resolution, to answer any questions, and to reiterate the right to appeal. The complainant and the accused may, upon request, be given a copy of the investigation report with confidential information redacted.

The School Title IX Coordinator will provide on-going monitoring of any recommended follow-up activities, and report non-compliance concerns to the Agency Title IX Coordinator. The School Title IX Coordinator shall close the file after ensuring that all activities are properly documented.

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#### **Retaliation for reporting Title IX Complaints**

DCF shall:

- prohibit any retaliation, including all forms of intimidation, implicit or explicit, reprisals or harassment against a person who makes a complaint of sexual harassment or against any person who cooperates in the investigation of a sexual harassment complaint; and
- take appropriate action against any individual who retaliates, or aids in retaliating, against any person who files, testifies, assists or participates in an investigation, proceeding or hearing relating to a sexual harassment complaint.

**Note:** DCF is not precluded from taking legitimate disciplinary or other action as a result of false reporting or as a result of discovering other inappropriate conduct that occurs before, during or after a sexual harassment investigation.

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#### **Appeal of Title IX Decisions**

If the complainant and/or the accused is/are dissatisfied with the results of the investigation, he or she may file a written appeal within ten days of receipt of written notification of the results. The appeal shall be sent to:

Commissioner  
Department of Children and Families  
505 Hudson Street, Hartford CT 06106

The Commissioner or designee shall review the investigatory file and any other relevant documentation. The Commissioner or designee may consult with any other person necessary to assist in the resolution of the appeal.

The Commissioner or designee shall issue a final written decision on the appeal within ten business days, with copies transmitted to the complainant, the accused, the management chain of command for USD #2, and the School Title IX Coordinator assigned to investigate.

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#### **Disciplinary Action and Sanctions for Sexual Harassment**

Following an investigation, DCF shall take appropriate action toward any person found to have sexually harassed another person and shall take any other steps reasonably calculated to end the harassment.

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#### **False Accusations**

If an investigation results in a finding that an employee or student has maliciously or recklessly falsely accused another individual of sexual harassment, the accuser shall be subject to appropriate sanctions and/or disciplinary action.

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#### **External Remedies**

In addition to the Department's internal complaint process described above, an individual who believes that he or she has been the subject of illegal sex discrimination, including sexual harassment, has other remedies available, including:

- filing a grievance pursuant to the terms of his/her collective bargaining agreement, or the provisions of the State Personnel Act if the employee is not in a collective bargaining unit; and
  - filing a complaint with the Connecticut Commission on Human Rights and Opportunities
  - filing a complaint with the United States Equal Opportunities Commission if the sexual harassment occurred in the employment context, and
  - filing a complaint with the United States Department of Education Office of Civil Rights, if the sexual harassment occurred in an educational setting.
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## UNIFIED SCHOOL DISTRICT #2

### Student's Rights

**Title VI and Section 504 Grievance Procedure**

A complaint may be filed by any student of the USD #2 who believes that he or she has been discriminated against, denied a benefit or excluded from participation in any school program or activity for the following reasons:

- on the basis of race, color or national origin in violation of Title VI of the Civil Rights Act of 1964; or
- on the basis of a qualified handicap in violation of Section 504 of the Rehabilitation Act of 1973.

The table below presents the steps in the grievance procedure:

Person	Action
Complainant	Address the complaint in writing to the school or No-nexus Unit, Title VI and 504 Coordinator, using DCF-2161, "Title VI and Section 504 Grievance Form."
School or No-nexus Unit Coordinator	<ul style="list-style-type: none"> <li>• Conduct a review of the complaint.</li> <li>• Send a written response to the complainant within ten working days of receipt of the complaint.</li> <li>• Send a copy of the written response to the Superintendent of Schools.</li> </ul>
Complainant	<ul style="list-style-type: none"> <li>• If not satisfied with the review response, submit a written appeal to the Superintendent within ten days of receipt of the response, including the nature of and reasons for the disagreement with the response.</li> </ul>
Superintendent of Schools	<ul style="list-style-type: none"> <li>• Consider the appeal, allowing the complainant to address his or her issues, as appropriate and lawful.</li> <li>• Provide the complainant with a written decision as expeditiously as possible following completion of the hearing.</li> </ul>
Alternative Complaint Procedures	<ul style="list-style-type: none"> <li>• Exhaustion of the above procedures is not a prerequisite for the filing of complaints with the Office of Civil Rights.</li> <li>• Complaints may be filed separately or concurrently with: U.S. Department of Education, Office of Civil Rights, Dr. Thomas J. Burns, Regional Director, McCormack P.O.C.H. Building, Region 1, Room 222, Boston, MA 02109.</li> </ul>

USD #2 shall designate an employee to act as the Title VI and Section 504 District Compliance Officer.

As used in these procedures, **days** mean business days upon which the office of the Superintendent of Schools is open.

**Title VI and Section 504 Informal Level**

Any individual who feels that he or she has been illegally discriminated against by the Unified USD #2 or any of its employees shall contact the appropriate building administrator within thirty (30) days of the alleged occurrence to discuss the nature of the complaint. For Section 504 complaints, the School Principal as building administrator shall maintain a written record that shall contain the following:

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**Title VI and  
Section 504  
Informal  
Level**  
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full name and address of complainant, full name and position of the person(s) who allegedly discriminated against the complainant, a concise statement of the facts constituting the alleged discrimination, including the dates of the alleged discrimination, and actions taken by the District to investigate and remediate the complaint and to prevent future occurrences of discrimination.

The administrator shall meet informally with the complainant and the individual(s) against whom the complaint was lodged, and shall seek informal agreement between the parties concerned. Every attempt shall be made to clarify misunderstandings, resolve issues, and seek a solution to the alleged discrimination complaint at this level.

This process shall take no longer than fifteen (15) days from receipt of the complaint by the building administrator.

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**Title VI and  
Section 504  
Formal  
Level:**

If the complainant is not satisfied with these initial informal procedures, he or she can bring the complaint to the Compliance Officer (Assistant Superintendent of Schools) within twenty (20) days of completion of the Informal Level. The Compliance Officer will investigate the charge in a timely manner. The results of this investigation will be brought to the Superintendent of Schools who will render a decision based on the findings of the Compliance Officer.

Decisions can involve actions to resolve misunderstandings, address personnel issues, and change policies deemed necessary to eliminate such discriminatory practices. Subsequent to the decision of the Superintendent of Schools, the Compliance Officer shall prepare a written response for the complainant no later than thirty (30) days after receiving the complaint. This written response will describe the conclusions of the investigation. If discriminatory practices are found to have occurred, the response will also describe any actions taken or proposed to eliminate the discriminatory practice. Decisions will also be communicated to the building administrator, teachers and staff as necessary so that the decision can be properly implemented.

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**Title VI and  
Section 504  
Appeal:**

If the complainant is not satisfied with the Superintendent's decision, the complainant may appeal in writing, to the DCF Commissioner within twenty (20) days of receipt of the Superintendent's decision. The Board shall hold a hearing within fifteen (15) days of receipt of such written requests and shall decide what, if any, remedies are necessary to eliminate the practice alleged to be discriminatory. The Commissioner (or designee) shall notify the complainant in writing of its decision within ten (10) days after such hearing.

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**Title VI and  
Section 504  
Withdrawal:**

A complaint may be withdrawn by the complainant at any level in the procedure without prejudice.

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**Title VI and  
Section 504  
Reprisals:**

No reprisal of any kind shall be taken by or against any complainant or any participant in the complaint procedure by reason of such participation.

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**Title VI and  
Section 504  
Hearing  
Right:**

The complainant shall be given the opportunity to be heard in the informal and formal levels of this procedure.

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**Section 504  
Due Process:**

In compliance with the requirements of Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act Amendments Act of 2008 (ADA), the District shall ensure that no otherwise qualified individual with disabilities shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity conducted by the District or those provided by the District through contractual or other arrangements. Programs and activities shall be accessible and usable by individuals with disabilities as prescribed by law.

The Superintendent will ensure all Section 504-qualified students with disabilities are identified annually. Students will be evaluated by a team of individuals knowledgeable about the student, the meaning of the evaluation data and placement options. Services will be provided as required by law.

The Superintendent will develop administrative regulations as needed for the implementation of this policy and to meet the requirements of state and federal law. Regulations will include provisions to ensure notice of the District's responsibilities are provided as required and that procedures are established for students, parents and staff with complaints concerning District compliance with the provisions of law.

**Legal references:** Connecticut General Statutes §10-15c; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §§791, 793-794 (2006); 34 CFR Part 10; Americans with Disabilities Act of 1990, 42 U.S.C. §§12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006) Americans with Disabilities Amendments Act of 2008.

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