

Section 504 until the student is reevaluated, as these actions would constitute a change in placement. However, there are four exceptions to this rule. Students protected by Section 504 do not have to be reevaluated prior to a disciplinary change in placement if:

- ✓ The Section 504 Committee determines that the misconduct leading to the disciplinary action was not a manifestation of the student's disability,
- ✓ The misconduct leading to the disciplinary action involves current illegal use of drugs or alcohol, or
- ✓ The misconduct leading to the disciplinary action involves serious bodily injury, or,
- ✓ The misconduct leading to the disciplinary action involves a firearms violation.

Parent / Guardian Rights

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

- A copy of the Carroll County Public Schools 504 procedures of which this brochure provides.
- Notice (including written or oral) of any decision regarding the identification, evaluation, or educational placement of the student.
- An opportunity to examine relevant educational records.

- The right to file for a Section 504 due process hearing and/ or may file a complaint with the Office of the Superintendent of Schools.
- The right to have an impartial hearing conducted before an individual not employed by Carroll County Public Schools with the opportunity for participation of the student's parent(s) and or guardian and representation by counsel.
- If further review is desired, parents may file a complaint with the Federal Office of Civil Rights.



Parent's Guide to Section 504 of the Rehabilitation Act of 1973

Purpose Procedures Rights

Dona Foster
Supervisor of Student Supports
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Carroll County Public Schools
Department of Student Services
125 N. Court Street, Suite 307
Westminster, MD 21157

NOTICE OF NON-DISCRIMINATION

Carroll County Public Schools (CCPS) is firmly committed to creating equal employment and educational opportunities for all persons with regard to its employment practices and in the provision of services, programs, and activities.

CCPS does not discriminate on the basis of age, color, genetic information, marital status, mental or physical disability, ancestry or national origin, race, religion, sex, sexual orientation, gender identity or gender expression. CCPS provides non-discriminatory access to school facilities in accordance with its policies and regulations regarding the community use of schools (including, but not limited to, the Boy Scouts).

The following person has been designated to handle inquiries regarding the non-discrimination policies:

Chantress Baptist
Director of Human Resources
125 North Court Street
Westminster, Maryland 21157

Purpose of Section 504

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

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

Section 504 Law

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

- has a physical or mental impairment which substantially limits one or more major life activities, or

- has a record of such an impairment, or
- is regarded as having such an impairment.

A physical or mental impairment is defined as any Physiological Disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech, organ, cardiovascular; reproductive, digestive, genito-urinary; hemic and lymphatic; skin; and endocrine, or any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

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

504 Procedures

1. **Referral** – Referrals may be made to the 504 Coordinator by any person who suspects that a student has a disability or needs accommodation.
2. **Parent Notification** – The 504 Coordinator or case manager discusses the student's potential Section 504 eligibility with parent(s) and notifies them about meetings, decisions, and their rights.
3. **Evaluation Committee Meeting** – This Committee must include someone who knows the student, a school designee, and a staff member knowledgeable about Section 504

Law. This evaluation consists of the collection and review of existing information, data, and may also include new testing or assessment. The purpose of such meeting is to determine eligibility and to review information pertinent to educational planning.

4. **Determination of Eligibility** – If the Committee determines that a student does have a physical or mental health impairment that substantially limits a major life activity, then the student would be eligible for protection from discrimination under Section 504 law. The 504 team would then convene to determine if the student needs accommodations and/or related services in order to have access to and benefit from a free, appropriate public education (FAPE).

5. **The Section 504 Accommodation Plan** – Developed by the Committee if deemed necessary, indicating the accommodations and or related services necessary to provide the student with an appropriate education which will meet the student's educational needs as adequately as the needs of other students are met. The student's progress is reviewed regularly, with revisions made as needed.

Discipline

With few exceptions, students should not be disciplined for behavior that is a manifestation of a disability. Please note some disciplinary actions (expulsions and some long term suspensions) cannot be taken against students protected by