

It is the policy of the Making Community Connections Charter School that no otherwise qualified person shall solely by reason of his/her handicap/disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity sponsored by this School.

As used in this policy and any implementing regulations,

*Handicapped persons* means any person who (i) has a physical or mental impairment which substantially limits one or more major life activities, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment. (34 CFR) 104.3)

Notice of the School's policy on non-discriminating in employment and education practices shall be stated in the Board of Trustees policy manual, posted throughout the Schools, and published in any School statement regarding the availability of employment positions or educational services.

### EMPLOYMENT

No employee or candidate for employment shall be discriminated against in recruitment, employment, promotion, training, or transfer solely because of his/her disabling condition.

No candidate for employment shall be required to answer a question regarding a disabling condition that is not directly related to the essential function of the position for which she/he has applied. No such candidate shall be discriminated against on the basis of a disabling condition that is not directly related to the essential function of the position for which she/he has applied. The District may make pre-employment inquiries into a candidates ability to perform job-related functions.

Reasonable modifications in scheduling and the allocation of duties, not directly affecting the instructional program, shall be made to accommodate employment conditions to the needs of disabled persons.

## FACILITIES AND PROGRAMS

The educational program of the District shall be equally accessible to all students at each grade level. Barrier-free access to school facilities shall be provided to the extent that no disabled person is denied an opportunity to participate in a District program available to non-disabled persons.

A free appropriate public education shall be provided for each child determined to be in need of services. Such services or programs shall be provided in the least restrictive environment and in barrier-free facilities comparable to those provided for non-disabled students. To the maximum extent appropriate to the student's disability, a disabled student shall be placed in an educational setting with non-disabled or less severely disabled students.

No otherwise qualified student with disabilities will be denied participation in co-curricular, intramural, or scholastic activities or any of the services offered or recognitions rendered regularly to the students of this District.

The due process rights of disabled students and their parents will be safeguarded.

## STUDENT PROCEDURAL SAFEGUARDS

The MC<sup>2</sup> Chief Education Officer (CEO) is designated as the Section 504 Coordinator. The procedural rights are as follows:

### PARENT'S RIGHTS UNDER SECTION 504/TITLE II – MAKING COMMUNITY CONNECTIONS CHARTER SCHOOL

Section 504 of the Rehabilitation Act of 1973/Title II of the Americans with Disabilities Act of 1990 provides rights for persons who, because of a disability, need or are believed to need special instruction or related services. You have the following rights:

1. The right to be informed of your rights in this document.
2. The right to be notified about the decisions regarding your child's identification, evaluation, and accommodations.

3. The right to have decisions regarding your child's evaluation and program/placement based upon a variety of information sources, and made by persons familiar with the student, the evaluation data, and the program/placement options. The right to have your child reevaluated periodically, to the extent necessary, including before any significant changes are made to your child's educational program.
4. The rights to have your child receive a free appropriate public education. This includes the right to be educated with students without disabilities to the maximum extent appropriate. It also includes the right to have the school district make appropriate accommodations, modifications, or provide related aids and services necessary to allow your child an equal opportunity to participate in school and school-related activities and to benefit from his or her educational program.
5. The right to review relevant school records relating to your child. If in order to access the records, you need to obtain a copy of them, said copies will be made available at a reasonable cost, unless the fee will effectively deny you access to the records.
6. The right to request changes related to the educational program of your child as it is affected by his/her disability.
7. The right to request an impartial hearing to be conducted by a person who is not an employee of the district, related to the district decisions or actions regarding students under Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 regarding identification, evaluation, and educational program/placement. You and the student may take part in the hearing and have your attorney represent you at your expense. Hearing requests must be made to the MC2 Chief Education Officer, 60 Rogers St., Manchester NH 03103. If your concern regards your child's eligibility under IDEA, your request for a hearing should be made to the NH Department of Education, 101 Pleasant Street, Concord, NH.
8. The right to file a local grievance through local grievance procedures regarding any alleged violation of Section 504 of the Rehabilitation Act/Title II of the Americans with Disabilities Act 1990. Grievance procedures can be found in the Charter School Policies.
9. The right to file a complaint at any time with the Office for Civil Rights, U.S. Department of Education, Eastern Division, 8<sup>th</sup> Floor, 5 Post Office Square, Boston, MA 02109-3921.

### EMPLOYMENT PROCEDURAL SAFEGUARDS

The CEO is designated as the Section 504 Compliance Officer. An employee with a complaint regarding discrimination shall follow the School's adopted grievance procedure that provides for the prompt and equitable resolution of disputes.

Employees of this Charter School may file a complaint without reprisal by the Board or any of its employees or agents. The grievant shall be notified of his/her rights to appeal at each step of this process.

**Legal Reference**

*34 C.F.R., Sections 104.7 , 104.8 , 104.22 (4) (f), and 104.36 of the Section 504 Regulations.*

Appendix Reference:

Date Adopted: July 8, 2013

Revision Dates:

Last Review Date:

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