

## **521 STUDENT DISABILITY NONDISCRIMINATION**

### **I. PURPOSE**

The purpose of this policy is to protect students with disabilities from discrimination on the basis of disability and to identify and evaluate learners who, within the intent of Section 504 of the Rehabilitation Act of 1973 (Section 504), need services, accommodations, or programs in order that such learners may receive a free appropriate public education.

### **II. GENERAL STATEMENT OF POLICY**

- A. Students with disabilities who meet the criteria of Paragraph C. below are protected from discrimination on the basis of a disability.
- B The responsibility of the school district is to identify and evaluate learners who, within the intent of Section 504, need services, accommodations, or programs in order that such learners may receive a free appropriate public education.
- C. For this policy, a learner who is protected under Section 504 is one who:
  - 1. has a physical or mental impairment that substantially limits one or more of such person's major life activities; or
  - 2. has a record of such an impairment; or
  - 3. is regarded as having such an impairment.
- D. Learners may be protected from disability discrimination and be eligible for services, accommodations, or programs under the provisions of Section 504 even though they are not eligible for special education pursuant to the Individuals with Disabilities Education Act.

### **III. COORDINATOR**

Persons who have questions or comments should contact the Superintendent of Schools, 25122 State Hwy 28, Glenwood, MN 56334, 320-239-4800. This person is the school district's Americans with Disabilities Act/Section 504 coordinator. Persons who wish to make a complaint regarding a disability discrimination matter may use the accompanying Student Disability Discrimination Grievance Report Form. The form should be given to the ADA/Section 504 coordinator.

#### **IV. GRIEVANCE PROCEDURE FOR NON-DISCRIMINATION POLICY**

A. Any person who has a complaint alleging that the school district is not complying with this policy or alleging any actions prohibited by this policy shall present the complaint in writing along with the reasons for such complaint to the person designated to handle complaints.

B. The person designated to handle complaints shall investigate the complaint and determine whether the school district is, in fact, in violation of state or federal law prohibiting discrimination. A decision shall be made by the designated official and such decision shall be communicated to the complainant within 15 days of the initial reception of the complaint.

C. If the designated official finds that the complaint is justified, he or she shall initiate action to rectify the complaint.

D. If the designated official finds that the complaint is justified, he or she shall initiate action to notify the complainant in written communication.

E. If the complainant is not satisfied with the findings of the designated official, an appeal may be made to the Board of Education. The appeal must be requested in a written communication to the Superintendent of Schools no later than 15 days after receipt of the written decision of the designated official.

F. A hearing before the Board of Education shall occur no later than 30 days after receipt of a written request for such hearing. The complainant may testify and may request that other testify in the complainant's behalf. The designated official will present the findings of the investigating called for in Step B. The Board shall reach a decision and notify the complainant of its findings no later than 15 days after the hearing.

G. If the complainant is not satisfied with the decision of the Board, appeal may be made to one of the following offices:

Director of the Office for Civil Rights  
300 South Wacker Dr.  
Chicago, IL 60606

Commissioner of Human Rights  
200 Capitol Square Bldg.  
St. Paul, MN 55101

Equal Employment Opportunity Commission (EEOC)  
Regional Office  
342 North Water Street  
Milwaukee, WI 53202

For more information on discipline policies, please refer to the student handbook.

**504 Coordinator:** Nate Meissner, MAHS Principal

Office Address: 25122 State Highway 28, Glenwood MN 56334

Office Phone Number: 320-239-4820 ext. 1218

Email Address: [nemeissner@isd2149.org](mailto:nemeissner@isd2149.org)

**Alternate 504 Coordinator:** Chip Rankin, MAS Superintendent

Office Phone Number: 320-239-4820 ext. 1470

Email Address: [crankin@isd2149.org](mailto:crankin@isd2149.org)

**Title IX Coordinator:** Phil Johnsrud

Office Address: 25122 State Highway 28, Glenwood MN 56334

Office Phone Number: 320-239-4820 ext. 1521

Email Address: [pjohnsru@isd2149.org](mailto:pjohnsru@isd2149.org)

**Alternate Title IX Coordinator:** Chip Rankin, MAS Superintendent

Office Phone Number: 320-239-4820 ext. 1470

Email Address: [crankin@isd2149.org](mailto:crankin@isd2149.org)

***Legal References:***

42 U.S.C. Ch. 126 (Equal Opportunity for Individuals with Disabilities)

29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)

34 C.F.R. Part 104 (Section 504 Implementing Regulations)

***Cross References:*** MSBA/MASA Model Policy 402 (Disability Nondiscrimination)