

INDEPENDENT SCHOOL DISTRICT 719  
PRIOR LAKE - SAVAGE AREA SCHOOLS**521 STUDENT DISABILITY NONDISCRIMINATION****I. PURPOSE**

The purpose of this policy is to protect disabled students 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. Disabled students 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.

**ADMINISTRATOR**

Persons who have questions or comments should contact the Director of Student Support Services, 4540 Tower Street SE, Prior Lake, MN 55372, 952.226.0033, the ADA/Section 504 Coordinator. 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.

**STUDENT DISABILITY NONDISCRIMINATION GRIEVANCE PROCEDURE**

Independent School District #719 maintains a firm policy prohibiting all forms of discrimination on the basis of a disability. All persons are to be treated with respect and dignity. Discrimination on the basis of a disability will not be tolerated under any circumstances.

The process for filing a grievance contains four (4) steps. The steps include actions and timelines. The Section 504 District Administrator may consider extending timelines if the complainant submits a written request.

Step 1: The grievance must fully state the facts of the alleged discriminatory practice, must specify the remedy being sought, and must be signed by the person making the complaint. The grievance must be submitted to the Section 504 District Administration within thirty (30) business days of the alleged discriminatory practice.

Upon receipt of a complaint, the district shall promptly undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district. The Section 504 District Administrator will investigate the matter and issue a written report on the status of the allegation and remedy within ten (10) business days from the date the grievance was received.

In determining whether alleged conduct constitutes a violation of this policy, the investigator will consider the surrounding circumstances, the nature of the behavior, past incidents, or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.

Step 2: If the complainant wishes to appeal the decision of the Section 504 District Administrator, he/she may submit a signed statement of appeal to the superintendent of schools within ten (10) business days of receiving the District Administrators' report in Step 1. The superintendent shall investigate the appeal and respond in writing within thirty (30) business days. The superintendent shall affirm, reverse, or modify the written report of the District Administrator.

Step 3: If the complainant remains unsatisfied, he/she may appeal through a signed written statement to the school board within five (5) business days of his/her receiving the superintendent's response in Step 2. The board shall review the appeal within forty (40) calendar days of the receipt of the appeal. A copy of the board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of the review.

Step 4: If at this point the grievance has not been satisfactorily settled, further appeal may be made to the Office of Civil Rights:

US Department of Education  
Office for Civil Rights, Region V  
Citigroup Center  
500 West Madison Street  
Suite 1475  
Chicago IL 60661

Phone: 312.730.1560  
Fax: 312.730.1576  
TDD: 312.730.1609  
Email: [OCR.Chicago@ed.gov](mailto:OCR.Chicago@ed.gov)

School Board Adoption: July 13, 2020

An Equal Opportunity School District