

Adopted: January 7, 2008

St. Louis County Schools, ISD # 2142

Revised: August 11, 2008

517 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, need special services, accommodations, or programs in order that such learners may receive a free appropriate public education.

II. GENERAL STATEMENT OF POLICY

- A. Disabled students are protected from discrimination on the basis of a disability.
- B. It is the responsibility of the school district to identify and evaluate learners who, within the intent of Section 504 of the Rehabilitation Act of 1973, need special 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 of more major life activities, including learning; or
 - 2. has a record of such impairment; or
 - 3. is regarded as having such 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, comments, or complaints should contact regarding grievances or hearing requests regarding disability issues. This person is the school district's ADA/504 Coordinator.

IV. GRIEVANCE PROCEDURE

- A. This grievance procedure is established to meet the requirements of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits, or practices and policies of ISD # 2142.
- B. The School District encourages grievances to be resolved informally. A formal grievance *may* be filed in writing with the District 504/ADA Coordinator or principal. The complaint should contain information about the alleged discrimination such as the name and phone number of the complainant and location, date, and description of the problem. Alternate means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The ISD # 2142 Principal 504/ADA Coordinators are:

Name: Kristi Berlin, AlBrook School
School Address: 7427 Seville Road
Saginaw, MN 55779-0708
Telephone Number: (218) 729-8322
FAX Number: (218) 729-8808

Name: Gary Friedlieb, Babbitt-Embarrass School
School Address: 30 South Drive
Babbitt, MN 55706-1108
Telephone Number: (218) 827-3101
FAX Number: (218) 827-3103

Name: John Metsa, Cherry School
School Address: 3943 Tamminen Road
Iron, MN 55751-8041
Telephone Number: (218) 258-8991
FAX Number: (218) 258-8993

Name: Kevin Abrahamson, Cook School
School Address: 306 East Vermilion Blvd.
Cook, MN 55723
Telephone Number: (218) 666-5221
FAX Number: (218) 666-5223

Name: Jeff Carey, Cotton School
School Address: 9165 Highway 53, P. O. Box 187
Cotton, MN 55724-0187
Telephone Number: (218) 482-3232
FAX Number: (218) 482-3233

Name: Sidney L. Simonson, Orr School
School Address: 10690 Highway 23, P. O. Box 307
Orr, MN 55771-0307
Telephone Number: (218) 757-3225
FAX Number: (218) 757-3666

Name: Paul DeMorett, Tower-Soudan School
School Address: 415 North Second St., P. O. Box 469
Tower, MN 55790-0469
Telephone Number: (218) 753-4040
FAX Number: (218) 753-6461

The ISD # 2142 District/ADA Coordinator/Alternate is:

Name: Dr. Charles Rick, Superintendent of Schools
District Office Address: 1701 North 9th Avenue
Virginia, MN 55792
Telephone Number: (218) 749-8130
FAX Number: (218) 749-8133

Step One

The grievance should be submitted to the designated 504/ADA Coordinator who will investigate the circumstances of the alleged violation. The Principal 504/ADA Coordinator will provide a written report of her/his findings of fact and conclusions within ten (10) school days to the grievant and the District 504/ADA coordinator. If the complaint is against the Principal Section 504 Coordinator, the grievance should be submitted to the District Section 504 Coordinator.

Step Two

If the grievance has not been resolved to the satisfaction of the grievant, she/he may appeal to the District 504/ADA Coordinator within ten (10) school days of receipt of the report. The District 504/ADA Coordinator will conduct an investigation and within ten (10) school days of receipt of the appeal, the District 504/ADA Coordinator will affirm, reverse, or modify the report of the principal or school 504/ADA facilitator.

Step Three

If the grievance has not been resolved in Step Two to the satisfaction of the grievant, she/he may appeal to the School Board to request an impartial due process hearing. The School Board will conduct an investigation to review the alleged violation. In the interest of providing an unbiased investigation, the District may utilize the services of an independent investigator or the Complainant may request that the investigation be conducted an independent investigator at any point in the process.

Step Four

The grievant may file a complaint with community, State or Federal agencies or in Federal court. Organizations and agencies which the parent may contact to obtain assistance with questions include, but are not limited to the following:

Federal:

Office for Civil Rights
U.S. Department of Education
500 W. Madison Street Suite 1475
Chicago, IL 60661
Tel. 312.730.1560
Fax 312.730.1576
TDD 312-730-1609

State:

Minnesota Department of Education
Division of Compliance & Assistance
1500 Highway 36 West
Roseville, MN 55113-4266
Tel. 651.582.8529
Fax 651.582.8725

Organization:

PACER
4826 Chicago Avenue South
Minneapolis, MN 55417
Tel. 952.838.9000

V. EXTENSION OF TIME LIMITS

Any time limits set by these procedures may be extended by mutual consent of the parties.

Legal References: 29 U.S.C 794 et seq. (504 of Rehabilitation Act of 1973) 34 C.F.R. Part 104 (Implementing Regulations)

