

NOTICE TO ALL STAFF/STUDENTS/PARENTS

Aitkin I.S.D. #0001 strives to provide a safe and appropriate education for its students. The District also works to maintain a safe nonthreatening environment for students and staff.

The School District assigns as Contact People

Jesse Peterson, Elementary Principal
927-4838, Ext. 2106

Paul Karelis, High School Principal
927-2115, Ext. 3401

If there are concerns or complaints regarding the following:

- **Federal Section 504 (educational modification)**
- **Title IX issues**
- **Policy 413, Harassment and Violence, and Policy 526,
Hazing Prohibition**
- **Discrimination of all kinds; race, religion, gender and
Disability**

Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons with a handicap in any program receiving federal financial assistance. The Act defines a person with a handicap as anyone who has a mental or physical impairment which substantially limits one or more major life activity (major life activities include activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working), has a record of such an impairment, or is regarded as having such an impairment. Examples of physical or mental impairments that may be covered under Section 504 include: epilepsy, AIDS, allergies, vision impairment, broken limbs, cancer, diabetes, asthma, temporary condition due to accidents or illness, ADD/ADHD, learning disabilities, autism, depression, intellectual disability, traumatic brain injury, and post-traumatic stress disorder.

It is the policy of I.S.D. #0001 not to discriminate on the basis of handicap in admission or access to, or treatment or employment in, its programs and activities.

The person responsible for assuring that the district and buildings comply with Section 504 is the Superintendent of Schools.

In adopting this policy the school district states its commitment to nondiscrimination on the basis of handicap. Specific actions in implementing the policy shall include:

1. Public notice of the policy.
2. Notice of the policy in student and parent handbooks.
3. Provision of parent/student rights under the policy at all decision points or in response to any concern.

Grievance procedural guidelines, available services, and hearing information are on file at district buildings and can be provided upon request.

Section 504 Grievance Procedure, Services and Hearing Dates

The grievance procedures for alleging violations under Section 504 are as follows:

Step 1

The grievance must be in writing and must be signed by the person making the complaint. The grievance must be filed with the 504 Coordinator within five (5) school days. The 504 Coordinator will promptly attempt to resolve the matter among the affected parties. If the 504

Coordinator is unable to resolve the grievance, he/she shall further investigate the matters of the grievance and reply in writing to the complainant within ten (10) school days from the date of filing the grievance.

Step 2

If the complainant remains unsatisfied, he/she may appeal through a signed written statement to the Board of Education within five (5) school days of his/her receipt of the Superintendent's response in Step 1. In an attempt to resolve the grievance, the Board of Education shall meet with the concerned parties and their representatives within forty (40) school days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) school days of this meeting.

Step 3

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

Office of Civil Right,
Region Office for Minnesota
U.S. Department of Education
500 W. Madison Street, Suite 1475
Chicago, IL 60661

Phone: 312-730-1576
FTS: 8-886-3456
TDD: 312-353-3541

Education Services

Students with handicapping conditions consistent with the definitions set forth in Section 504 of the Rehabilitation Act of 1973 will be identified, evaluated, and provided with appropriate instruction and related services. People with handicaps or who are thought to have handicaps in accordance with Section 504, their parents or their guardians shall have the right to:

1. Have the student take part in and receive benefits from public education programs without discrimination because of his/her handicapping condition.
2. Have the school district advise each person of his/her rights under federal law.
3. Receive notice with respect to identification, evaluation, or placement of the student.
4. Have the student educated in facilities and receive services comparable to those provided non-handicapped students.

5. Have the student be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the district.
6. Have placement decisions made based upon a variety of information sources, and by a group of persons including persons knowledgeable about the student, the evaluation data, and placement options.
7. Have the student receive a free appropriate public education. This includes the right to be educated with non-handicapped students to the maximum extent appropriate. It also includes the right to have the school district make reasonable accommodations to allow the student an equal opportunity to participate in school and school-related activities.
8. Have the student receive special education and related services if he/she is found to be eligible under the Individuals with Disabilities Educational Act (IDEA, Public Law 10 – 476).
9. Have transportation provided to and from an alternative placement setting at no greater cost than would be incurred if the student were placed in a program operated by the district.
10. Examine all relevant records relating to decisions regarding the student’s identification, evaluation, educational program, and placement.
11. Obtain copies of education records at a reasonable cost unless the fee would effectively deny access to the records.
12. Receive a response from the school district to reasonable requests for explanations and interpretations of the student’s records.
13. Request amendment of the student’s education records if there is a reasonable cause to believe that they are inaccurate, misleading, or otherwise in violation of the privacy rights of the student. If the school district refuses this request for amendment, it shall provide notification within a reasonable time and provide procedural rights relating to the resolution of the issue.
14. Request conciliation, mediation, or an impartial due process hearing related to decisions or actions regarding the student’s identification, evaluation, educational program, or placement. Parents, guardians, and the student may take part in the hearing and be represented by an attorney, at their own expense. Requests for due process hearings must be made in writing to the Superintendent.
15. Seek review of the results of the hearing.
16. File a grievance under Section 504.

Section 504 Hearings

A student, parent or guardian, or the school district may request an impartial hearing with regard to actions involving the identification, evaluation, or placement of a student pursuant to Section 504. The procedures for such a hearing are as follows:

1. Request for a Section 504 Hearing must be made to the Superintendent.
2. In each case for which a hearing has been requested, the Superintendent shall appoint an impartial individual to serve as the Hearing Officer.
3. The Hearing Officer shall determine the procedures for the hearing and set timelines for the same.
4. The parties have the right to representation, at their own expense, throughout the hearing process.
5. The Hearing Officer shall issue a written decision and submit the same to both parties.

Procedure for Review of Section 504 Hearings

Either party to a Section 504 hearing may seek review of the Hearing Officer's decision. The procedure for such review is as follows:

1. Notice of appeal must be made within thirty (30) days following receipt of the Hearing Officer's decision.
2. Notice must be given in writing to the other party. In the case of the school district, the written notice shall be directed to the Superintendent of Schools.
3. The School Board shall, upon recommendation of the Superintendent, appoint an impartial individual or individuals to serve as the Review Officer or Review Panel.
4. The Review Officer/Review Panel shall determine the procedure for review and set timelines for the same.
5. The parties have the right to representation, at their own expense, throughout the review process.
6. The Review Office/Review Panel shall issue a written decision and submit the same to both parties.

Source: Aitkin Independent School District No. 0001, Aitkin, MN

Reviewed: 12-21-2015

Approved: 11-20-1995, 1-11-2016