



Independent School District #38

School Board Policies & Procedures Manual

321.1 – 504 GRIEVANCE PROCEDURES

The Red Lake School District (the “District”) does not discriminate on the basis of disability with regard to admission, access to services, treatment, or employment in its programs or activities.

Section 504 of the Rehabilitation Act of 1973 (Section 504) prohibits discrimination against individuals with disabilities in any program receiving federal financial assistance. Under Section 504, the definition of an individual with a disability is a person who:

1. Has a mental or physical impairment which substantially limits one or more major life activities, such as seeing, hearing, speaking, breathing, learning or working, or
2. Has a record of such impairment, or
3. Is regarded as having an impairment

The District will evaluate, identify, and provide free appropriate education to all students who are individuals with disabilities under Section 504. Parents of these students are entitled to a number of procedural safeguards including, the right to grieve an action or decision of the District. See, District Notice of Section 504 Rights and/or federal regulations at 34 CFR §§ 104.31 to 104.39 (copies of regulations available from District upon request).

If any person believes that the Red Lake School District or any of the District’s staff has inadequately applied the principals and/or regulations of Section 504, s/he may bring forward a grievance, in a manner set forth below:

1. A person who believes s/he has a valid basis for a grievance shall discuss and attempt to resolve the grievance informally and on a verbal basis with the District representative that the grievant alleges is failing to comply with the requirements of Section 504
2. If the grievant is unable to resolve his or her concerns on an informal basis, they may file a signed written statement of the grievance with the Section 504 Coordinator within ten (10) business days of receipt of the final response to the informal complaint. The Section 504 Coordinator for the District is: Linda Gulbranson. Your grievance should describe in detail the nature of your concerns, any alleged policy or action you believe may be in violation of Section 504; the underlying factual basis for your grievance and should identify and person(s) you believe may be responsible for the alleged violation of Section 504. After receipt of the grievance, the 504 Coordinator will arrange a meeting where you will be given an opportunity to present your concerns and to provide any factual support for your allegations. After hearing your concerns, interviewing other persons with knowledge related to the grievance and examining the other relevant evidence, the 504 Coordinator will reply in writing and provide findings to the grievant within ten (10) business days.
3. If the grievant wishes to appeal the decision of the 504 Coordinator, s/he may submit a signed statement of appeal to the Superintendent of Schools within ten (10) business days after receipt of the 504 Coordinators response. The Superintendent shall meet with all parties involved, formulate a conclusion, and respond in writing to the complainant within ten (10) business days.

4. If the grievant believes at any time that his or her grievance has not been satisfactorily addressed or resolved s/he may file a complaint with the Office of Civil Rights. Information for filing a complaint with Office of Civil Rights may be obtained on the web at <http://www.ed.gov/about/offices/ocr/index.html> or by calling OCR Civil Rights hotline at 1-800-421-3481

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