

**RED WING PUBLIC SCHOOLS
BOARD OF EDUCATION POLICY**

521 STUDENT DISABILITY NONDISCRIMINATION

Adopted: November 15, 2009
Last Revised: August 5, 2024

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. ALTERNATIVE LANGUAGE VERSION(S)

This policy is available in language(s) other than English. Alternative language version(s) of this policy are available at:

Office of the Superintendent
Red Wing Public Schools
2451 Eagle Ridge Drive
Red Wing, MN 55066

651-385-4501

III. 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.

IV. DESIGNATIONS

The school board has designated individuals to coordinate the school district's efforts to comply with and carry out its responsibilities under the Americans with Disabilities Act (ADA) and Section 504.

V. COMPLAINTS, GRIEVANCES, AND REPORTS OF DISCRIMINATION

The document "Procedures for Submitting and Resolving Complaints, Grievances, and Reports of Unlawful Discrimination, Harassment or Violence, Bullying, or Hazing" provides information about reporting complaints, investigation procedures, school district action, appeals, prohibition of retaliation, and right to alternative complaint procedures.

VI. DISSEMINATION OF POLICY

- A. The individuals authorized in conjunction with this policy shall be posted on the school district's website in the Nondiscrimination Notice.
- B. The school district shall conspicuously post the name and contact information of the ADA and Section 504 Coordinator and his/her alternate.

Legal References:

Pub. L. 110-325, 122 Stat. 3553 (ADA Amendments Act of 2008, § 7)
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)