

**SAINT MICHAEL-ALBERTVILLE SCHOOL DISTRICT**

**11343 50<sup>TH</sup> St. NE, Albertville MN 55301**

**Phone: 763-497-3180 FAX: 763-497-6588**

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SECTION 504 NOTICE OF GRIEVANCE PROCEDURES

A. Grievance Policy

Any parent who believes that the St. Michael-Albertville School District ("District") has discriminated on the basis of a disability or otherwise violated Section 504 may file a grievance with the District. A grievance is a complaint alleging that the District has a policy, procedure or practice, or has made a decision with respect to a student, which is prohibited by Section 504.

B. Informal Grievance Procedure

Many problems can be resolved by an informal meeting between the parties involved. An individual with a complaint is encouraged to first discuss the concern with the appropriate teacher, counselor, building administrator, Section 504 Team, or the District's Section 504 Coordinator with the objective of resolving the concern promptly and informally.

C. Formal Grievance

Procedure Step 1

1. A written statement of the grievance signed and dated by the Complainant shall be submitted to the District's Section 504 Coordinator within thirty (30) school days following the alleged violation. The Complainant may submit the grievance using a Grievance Filing Form. The form can be obtained from the District's Section 504 Coordinator. The District's Section 504 Coordinator is Dr. Amy Larkin, Director of Special Services, St. Michael-Albertville Public Schools, 11343 50th Street NE Albertville, MN 55301.
2. The statement must include the Complainant's name, address, telephone number, the student's name, the name of the student's school, a full description of the nature of the grievance, and the remedy requested.
3. The Section 504 Coordinator shall:
  - a. Investigate the matters in the grievance and discuss the grievance with the parent(s)/guardian(s) or adult student and appropriate school and or District employees;
  - b. Prepare a written response to the grievance; and
  - c. Notify the Complainant of the decision within ten (10) school days of receiving the grievance and provide the Complainant with a

copy of the written response. For purposes of the Grievance Procedure and the Impartial Hearing Process set forth below, a "school day" is a day designated by the District as a day of instruction for students.

4. If the District 504 Coordinator is the subject of the written complaint, the Superintendent will appoint an impartial investigator who will conduct the investigation.

## Step 2

1. If the Complainant is not satisfied with the disposition of the grievance after Step 1, the Complainant may request review of the grievance by the School Board.
2. A request for review by the School Board must be submitted by the Complainant in writing within five (5) school days after receipt of the Section 504 Coordinator's decision.
3. The School Board will meet to review the complaint in a reasonable time period following the request for review but in any event no later than fifteen (15) school days or the School Board's next regularly scheduled meeting after receipt of the appeal, whichever occurs later. The School Board will review the complaint in a meeting closed to the public pursuant to Minnesota Statute Section 13D.05, subdivision 2(a)(3). The School Board will provide the Complainant with its decision within fifteen (15) days of its review. The School Board may affirm, modify or reverse the Section 504 Coordinator's decision. The School Board's decision shall constitute the final decision issued for any grievance.

## D. Time Periods

The time periods set forth in the grievance procedures may be extended by mutual agreement. Failure at any step in this process by the District to communicate the decision on the grievance within the specified time limits shall permit the Complainant to proceed to the next step. Failure at any step of this procedure by the Complainant to appeal a grievance to the next step shall be deemed acceptance of the decision rendered at that step.

This procedure does not deny the right of the grievant to file a formal complaint in federal court or with the U.S. Department of Education. Changes in the law, including timelines for filing a complaint, may affect your rights.

OCR addresses Section 504 complaints independently of the local grievance/hearing process, in accordance with the OCR's standard operating procedures. The Complainant may file a complaint with the Office of Civil Rights, Chicago Office, U.S. Department of Education, John C. Kluczynski Federal Building, 230 S. Dearborn Street, 37th Floor, Chicago, IL 60604, (312) 730-1560.

This document is not to be a substitute for legal advice. It contains portions of the Section 504 regulations. For a complete compilation of the law, see 34 C.F.R. Part 104.