

**INDEPENDENT SCHOOL DISTRICT NO. 624
STUDENT DISABILITY DISCRIMINATION GRIEVANCE REPORT FORM**

General Statement of Policy Prohibiting Disability Discrimination

Independent School District No. 624 maintains a firm policy prohibiting all forms of discrimination on the basis of a disability. All persons are to be treated with respect and dignity. Discrimination on the basis of a disability will not be tolerated under any circumstances.

Complainant: _____

Home Address: _____

Work Address: _____

Home Phone: _____ Work Phone: _____

I have been discriminated against based on (choose one or more):

- my disability
- a record of my disability
- being regarded as having a disability

Because _____

Date of alleged incident(s): _____

Name of person you believe discriminated against you or another person: _____

If the alleged discrimination was toward another person, identify that person: _____

Describe the incident(s) as clearly as possible, including such things as: any verbal statements; what, if any, physical contact was involved; etc. (attach additional pages if necessary):

Location of the incident(s): _____

List any witnesses that were present: _____

This complaint is filed based on my honest belief that _____ has discriminated against me or another person based on a disability. I hereby certify that the information I have provided in this complaint is true, correct, and complete to the best of my knowledge and belief.

_____ Date: _____
(Complainant Signature)

Received by: _____ Date: _____

1. **Grievance.** You have the right to file a complaint (also referred to as a "grievance") with the District regarding an alleged violation of Section 504. You also have the right to receive a prompt and equitable resolution of a complaint. Complaints must be submitted in writing to the District's Section 504 Coordinator, unless the complaint relates to the District's 504 Coordinator, in which case the complaint should be submitted to the Superintendent of Schools. Upon filing a complaint with the District, you will be asked to provide a brief description of the alleged discriminatory action, the date of the alleged action, and the name of the person(s) responsible for the alleged action. The District will then conduct an investigation, unless the matter can be resolved informally. The District's Section 504 Coordinator will maintain the files and the records relating to the complaint, unless the complaint relates to the District's Section 504 Coordinator, in which case, the Superintendent will maintain the files and records. If you wish to appeal the decision of the Section 504 Coordinator, you may submit a signed statement of appeal to the Superintendent of Schools within ten (10) business days after receipt of the Coordinator's response. If the Superintendent conducted the initial investigation, you may submit a signed statement of appeal to the School Board Chair. The School Board Chair, or a representative, will issue a decision on the appeal within forty days of receiving the appeal.

Wayne Kazmierczak
Superintendent
District Center
4855 Bloom Ave.
White Bear Lake, MN 55110
Phone: (651) 407-7563
E-mail: wayne.kazmierczak@isd624.org

2. **OCR Complaint.** You have the right to file a complaint with the Office for Civil Rights (OCR), which is a division of the U.S. Department of Education. The following is the contact information for OCR:

Office for Civil Rights, Chicago Office (Region V)
U.S. Department of Education
500 W. Madison Street Suite 1475
Chicago, Illinois 60661
(312) 730-1560
FAX: (312) 730-1576, TDD: (312) 730-1609
Email: OCR.Chicago@ed.gov

3. **Impartial Hearing.** You have the right to request an impartial hearing if you disagree with the District's decisions or actions relating to your child's identification, evaluation, educational program, or placement. 34 C.F.R. § 104.36. You and your child may participate in the hearing and have an attorney represent you. Hearing requests must state the specific reason for the request and must be submitted in writing to the District's Section 504 Coordinator. Upon receiving a hearing request, the District will select an impartial hearing officer (IHO). The party requesting the hearing bears the burden of proof at the hearing. The party requesting

the hearing may not raise new issues at the hearing that were not addressed in the hearing request or specified in writing in response to an objection to the sufficiency of the hearing request. During the hearing, each party has the right to present evidence and to confront and cross-examine witnesses who are called by the other party to testify. The IHO may impose reasonable limitations on the amount of time that each party has to present its case. The IHO may also prohibit the introduction of any evidence at the hearing that has not been disclosed at least five (5) business days before the hearing, including evaluation data and recommendations based on any evaluation data. After the conclusion of the hearing, the IHO may ask the parties to submit proposed findings, proposed conclusions, and a proposed decision. The IHO will issue a written decision within forty-five (45) calendar days, unless either party requests an extension for good cause.

4. **Appeal from Adverse Decision.** You have the right to appeal from an adverse decision from the IHO. The District also has the right to appeal from an adverse decision. To appeal, a party must submit a written notice of appeal to the District's Section 504 Coordinator and to the opposing party stating within twenty (20) calendar days after receiving the adverse decision. The written notice of appeal must specifically state the appealing party's objections to the decision. Upon receiving notice of an appeal, the District will appoint an impartial hearing review officer (HRO) to conduct an impartial review of the records while giving deference to the factual findings and credibility determinations of the impartial hearing officer. The HRO may elect to hear oral argument, to receive appeal briefs, or to make a decision based on the existing record. The HRO will complete the review and issue a written decision within thirty (30) calendar days unless either party requests an extension. Any party disagreeing with the decision of the appeals officer may appeal to a civil court with jurisdiction. This procedure may not be interpreted or applied in a manner that would deny the right of a party to file a formal complaint in federal court or with OCR.

5. **Section 504 Coordinator.** Each school district is required to identify a Section 504 Coordinator who is responsible for assuring that the District complies with Section 504. The District's Section 504 Coordinator is Lisa Ouren. If you have any questions regarding Section 504, you are encouraged to contact Ms. Ouren. The following is her contact information:

Lisa Ouren
Section 504 Coordinator/Director of Student Support Services
District Center
4855 Bloom Ave
White Bear Lake, MN 55110
Phone: (651) 407-7553
Email: lisa.ouren@isd624.org

6. **Disclaimer.** This document does not contain or provide legal advice and is not a substitute for legal advice. It contains portions of the Section 504 regulations. For a more complete compilation of the law, see 34 C.F.R. Part 104.