



# PRIOR LAKE-SAVAGE

## AREA SCHOOLS

Prior Lake-Savage Area Schools, in compliance with Section 504 of the Rehabilitation Act of 1973, prohibits discrimination on the basis of a mental or physical impairment. If any person believes Prior Lake-Savage Area Schools or any of the District's staff have violated the principles and/or regulations of Section 504 of the Rehabilitation Act of 1973, they may bring forward a complaint in accordance with the following procedure.

If discrimination is determined to have occurred, the District will take prompt action to correct any effects of the discrimination and to prevent further occurrences.

### Complaint Procedure

#### Step 1:

The grievant must submit a signed, written Statement of Complaint to the District 504 Coordinator. The Statement of Complaint must fully set out the circumstances giving rise to the alleged complaint and include a statement of the relief sought by the grievant. The Statement of Complaint shall be filed within thirty (30) calendar days of the alleged violation. A Statement of Complaint filed beyond thirty (30) calendar days of the alleged violation may not be considered.

**District 504 Coordinator:** Michelle Cuka

**Address:** 4540 Tower Street SE  
Prior Lake, MN 55372-2958

**Phone:** 952-226-0033

**Email:** [mcuka@plsas.org](mailto:mcuka@plsas.org)

#### Step 2:

The District 504 Coordinator will conduct an investigation of the allegation(s). The parent, student, employee or third party against whom the complaint is alleged will be given full and fair opportunity to present evidence, including witnesses, relevant to the issues raised in the complaint. The investigation will be completed and a written report of findings and recommendations shall be given to the grievant within thirty (30) calendar days of receipt of the Statement of Complaint. 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 3:

If the complaint is not satisfactorily resolved following Step 2, an appeal may be made in writing to the Superintendent of Schools within five (5) calendar days after receipt of the written findings and recommendations. The Superintendent will review the written findings and recommendations in light of the issues raised by the grievant, and provide the grievant a written decision within ten (10) working days following receipt of the appeal.

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

Section 504 is enforced by the U.S. Department of Education, Office for Civil Rights (OCR). If you need information about Section 504, OCR's contact information is as follows:

U. S. Department of Education  
Office for Civil Rights, Chicago Office (Region V)  
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](mailto:OCR.Chicago@ed.gov)

The following is a description of some of the rights granted by this federal law pertaining to students with disabilities who are subject to identification, evaluation, or placement under Section 504. (See 34 C.F.R. § 104 for a full compilation of regulations.)

- A. Your child is entitled to take part in and receive benefits from public education programs or activities without discrimination because of his or her disability. 34 C.F.R. § 104.21.
- B. Your child is entitled to receive a free appropriate public education regardless of the nature or severity of his or her disability. 34 C.F.R. § 104.33(a).
- C. Your child is entitled to receive regular or special education and related aids and services that are designed to meet his or her individual educational needs as adequately as the needs of students without disabilities. 34 C.F.R. § 104.33(b).
- D. Your child is entitled to receive free educational services except for those fees that are imposed on students without disabilities or their parents. 34 C.F.R. § 104.33(c).
- E. Your child is entitled to be educated with students without disabilities to the maximum extent appropriate to the needs of your child. 34 C.F.R. § 104.34(a).
- F. Your child is entitled to be educated in facilities and receive services and activities comparable to those provided to students without disabilities. 34 C.F.R. § 104.34(b)(c).
- G. Your child is entitled to an evaluation prior to initial placement and any subsequent significant change in placement. 34 C.F.R. § 104.35(a).
- H. Your child is entitled to be evaluated and tested with procedures in accordance with regulations pertaining to evaluation procedures. 34 C.F.R. § 104.34(b).
- I. Your child is entitled to have evaluation data and placement decisions based upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior. 34 C.F.R. § 104.35(c)(1).
- J. Your child is entitled to have an interpretation of data and placement decisions based on evaluation procedures that ensure information is obtained from a variety of documented and carefully considered sources. 34 C.F.R. § 104.35(b)(c)(2).
- K. Your child is entitled to have placement decisions made by persons knowledgeable about your child, the meaning of evaluation data, and placement options. 34 C.F.R. § 104.35(c)(3).
- L. Your child is entitled to periodic evaluations. 34 C.F.R. § 104.35(d).
- M. Your child is entitled to an equal opportunity to participate in nonacademic and extracurricular activities offered by the District. 34 C.F.R. § 104.37.
- N. You are entitled to notice prior to any action by the district pertaining to the identification, evaluation, or placement of your child. 34 C.F.R. § 104.36.
- O. You are entitled to examine relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement. 34 C.F.R. § 104.36.
- P. Parent(s)/guardian(s) or an eligible student may request an impartial hearing to resolve current disputes pertaining to the identification, evaluation, or educational placement of a student entitled to the protections of Section 504. The District also has the right to initiate a hearing regarding these same matters. You and the student may take part in the hearing and have an attorney represent you. The procedures for such a hearing will be those specified in Minnesota Statute 120.17 and Minnesota Rule Chapter 3525.2535. A request for a Section 504 hearing must be submitted in writing to the Section 504 District Coordinator.



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