

**ROSEVILLE AREA SCHOOLS**  
Independent School District No. 623

Regulations 104 – Equal Educational and Employment Non-Discrimination

1.0 Notice of Nondiscrimination

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act prohibits discrimination against persons with disabilities by ensuring equal access and opportunities for participation. Both acts define a person with a disability as anyone who has a mental or physical impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such an impairment. The School District has the responsibility to identify, evaluate and provide reasonable accommodations for eligible individuals as necessary to equal access.

Roseville Area Schools will not discriminate in policies and practices regarding its personnel, community and learners. No discrimination against any person with a disability will knowingly be permitted in any of the programs or practices of the school district.

Individuals who require accommodations including auxiliary aides, or publications in alternate formats (such as Braille, large print, audio tape) are invited to make their needs and preferences known to the Director of Student Services. Questions, concerns, or requests for additional information may be forwarded to, the designated Compliance Coordinator.

2.0 Americans with Disabilities Act (ADA)

NOTICE: Roseville Area Schools does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities. "Disability" is defined as any physical or mental impairment which substantially limits one or more major life activities; i.e., seeing, walking, speaking, hearing, breathing, self care, learning, and performing manual tasks. The term also includes people who have a past record of impairments such as persons who have experienced heart attacks, persons recovering from cancer, or former patients of mental hospitals, etc. Roseville Area Schools does not discriminate on the basis of disability in its hiring or employment practices. This notice is provided as required by Title II of the Americans With Disabilities Act of 1990.

Questions, concerns, complaints, or requests for additional information regarding the ADA may be forwarded to the designated ADA Compliance Coordinator.

1251 West County Road B2, Roseville, MN 55113  
Phone – 651-635-1600      Fax – 651-635-1659  
Monday-Friday 7:30 am-4:00 pm

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Individuals who need auxiliary aids for effective communication in programs and services provided through Roseville Area Schools are invited to make their needs and preferences known to the ADA Compliance Coordinator.

This notice will be made available upon request in alternate formats such as large print, audiotape, and Braille. Please contact the ADA Compliance Center.

### 3.0 Section 504

No qualified handicapped person shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from Federal financial assistance. [34 CFR 104.4(a)]

Any one who:

- has a mental or physical impairment which substantially limits one or more major life activities (major life activities include activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working);
- has a record of such impairment; or
- is regarded as having such an impairment [34 CFR 104.3(j)]

In order to fulfill obligations under Section 504, Roseville Area Schools is responsible for nondiscrimination in policies and practices regarding its personnel and learners. No discrimination against any person with a disability shall knowingly be permitted in any of the programs and practices of the school system.

The School District has responsibilities under Section 504, which include the obligation to identify, evaluate, and, if the learning is determined to be eligible under Section 504, afford access to appropriate educational services. If the parent or guardian disagrees with the determination made by the professional staff of the school district, he/she has a right to a hearing with an impartial hearing officer.

If there are questions, please feel free to contact the Section 504 Coordinator for the school district at 651-635-1600.

### 4.0 Names and Pronouns

The School District shall honor a student's or employee's request to be identified and addressed by their name and personal pronoun that corresponds to their gender identity or personal pronouns. Official documentation of a legal name

change is not required for a student or employee to be identified or addressed as requested. The School District's administration is directed to adopt protocols for receiving and responding to requests from students or employees who wish to be identified and addressed by the names and personal pronouns corresponding to their gender identities.

#### 5.0 Sex-based or Gender-based Activities

Within academic programming, School District staff will avoid separating students or using curricular materials based on gender or sex unless doing so will serve an important pedagogical purpose. In those circumstances, students may self-identify and choose the groups consistent with their respective gender identities.

#### 6.0 Extracurricular Programs and Activities

The district will provide all students the opportunity to participate in nonacademic, co-curricular, or extracurricular activities in a manner consistent with their gender identity, or in a manner that allows the student to feel safe, included, and comfortable. These activities include without limitation intramural activities and interscholastic non-athletic activities.

Transgender and gender-expansive students shall be permitted to participate in interscholastic athletics in a manner consistent with their gender identities and in compliance with the applicable regulations of the Minnesota State High School League (MSHSL).

#### 7.0 Access to Shared Facilities

The district will provide students access to shared facilities (e.g., restrooms, locker rooms, or changing facilities) that correspond to their gender identities and a gender-neutral option. Students shall not be required to utilize gender-neutral facilities.

#### 8.0 Grievance Procedure

This grievance procedure is established to meet the requirements of the Americans With Disabilities Act and Section 504. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in employment practices and policies or the provisions or services, activities, programs, or benefits by Roseville Area Schools.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number or complainant and location, date and description of the problem. Alternate means of filing

complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Compliance Coordinator  
1251 West County Road B2, Roseville, MN 55113  
651-635-1600  
651-635-1659 (fax)

Within 15 calendar days after receipt of the complaint, the ADA Coordinator, will meet with the complainant to discuss the complaint and possible resolutions. Within 15 days after the meeting, the Coordinator will respond in writing, and, where appropriate, in formats accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of Roseville Area Schools and offer options for substantive resolution of the complaint.

If the response by the Coordinator does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision of the ADA Coordinator within 15 calendar days after receipt of the response to the Superintendent.

Within 15 calendar days after receipt of the appeal, the Superintendent will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Superintendent will respond in writing, and, where appropriate, in format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA Compliance Coordinator and appeals to the Superintendent will be kept by Roseville Area Schools for at least three years.

## 9.0 Grievance Procedures for Complaints of Discrimination and Harassment

The following grievance procedures may be used to provide prompt and equitable resolution of student and employee complaints of discrimination and harassment based on race, color, national origin, sex, or handicap/disability. Title IX of the Education Amendments of 1972 and Section 504 of the Rehabilitation Act of 1973 require that school systems adopt grievance procedures and designate compliance coordinators. The District has designated the Director of Student Services and the Compliance Coordinator.

### 9.1 Definitions

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- 9.1.1 Discrimination Complaint: A written or oral complaint alleging that a policy, procedure, or practice discriminates on the basis of race, color, national origin, sex, or handicapping/disabling condition.
- 9.1.2 Harassment Complaint: A written or oral complaint related to comments or conduct of supervisors, coworkers, or patrons which interfere with an employee's or student's performance or threaten an employee's or student's sense of well-being in the work or educational environment.
- 9.1.3 Student Grievant: A student of the (school system) who submits a complaint alleging discrimination or harassment based on race, color, national origin, sex, or handicapping/disabling condition.
- 9.1.4 Compliance Coordinator: Within 10 days after receiving respondent's answer, refers the written complaint and respondent's answer, to the principal or principal's designee. The Compliance Coordinator also schedules a hearing with the grievant, the respondent, and the principal or other designee.
- 9.1.5 Respondent: The person alleged to be responsible for the violation described in a complaint. The term may be used to designate persons with responsibility for a particular action or those persons with supervisory responsibility for procedures and policies in those areas covered in the complaint.
- 9.1.6 Day: Day means a working day. The calculation of days in complaint processing shall exclude Saturdays, Sundays, and holidays.
- 9.1.7 Principal: The administrator of a public elementary, middle, or high school in which the alleged discrimination or harassment occurred.
- 9.1.8 Local Board of Education: The Board that governs the local school system in which the alleged discrimination or harassment occurred.
- 9.2 Pre-Filing Procedures

Prior to the filing of a written complaint, the student or employee is encouraged to visit with the Compliance Coordinator and to make a reasonable effort to resolve the problem or complaint.
- 9.3 Filing and Processing Discrimination Complaints

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- 9.3.1 Grievant: Submits written complaint to Compliance Coordinator stating the grievant's name; nature and date of alleged violation; names of persons responsible (where known); and requested action. Complaint must be submitted within 30 days of alleged violation. Complaint forms are available in school office or other designated area. The complaint should be signed by the grievant or his/her designee.
- 9.3.2 Compliance Coordinator: Contacts respondent within 10 days and asks respondent to:
- confirm or deny facts;
  - indicate acceptance or rejection of student's or employee's requested action; or
  - outline alternatives
- 9.3.3 Respondent: Submits answer within 10 days to Compliance Coordinator.
- 9.3.4 Compliance Coordinator: Within 10 days after receiving respondent's answer, refers the written complaint and respondent's answer to the principal or principal's designee. The Compliance Coordinator also schedules a hearing with the grievant, the respondent, and the principal or other designee.
- 9.3.5 Principal, Grievant, Respondent, and Compliance Coordinator: Hearing is conducted.
- 9.3.6 Principal: Within 10 days after the hearing, the principal issues a written decision to the student or employee, respondent, and Compliance Coordinator.
- 9.3.7 Grievant: If the grievant is not satisfied with the principal's decision, he/she must notify the Compliance Coordinator within 10 days and request a hearing with the superintendent.
- 9.3.8 Compliance Coordinator: Within 10 days of request, schedules a hearing with the grievant and superintendent.
- 9.3.9 Superintendent, Grievant, Respondent, and Compliance Coordinator: Hearing is conducted.
- 9.3.10 Superintendent: Issues a decision within 10 days following the hearing.

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9.3.11 Grievant: If the grievant is not satisfied with the superintendent's decision, he/she must notify the Compliance Coordinator within 10 days and request a hearing with the local Board of Education.

9.3.12 Board of Education or Hearing Panel established by the Board, Grievant, Respondent, and Compliance Coordinator: Hearing is conducted.

9.3.13 Board of Education: Issues a final written decision within 10 days after the hearing regarding the validity of the grievance and any action to be taken.

### 9.4 General Provisions

9.4.1 Extension of Time: Any time limits set by these procedures may be extended by mutual consent of the parties involved. The total number of days from the date that the complaint is filed until the complaint is resolved shall be no more than 80.

9.4.2 Access to Regulations: The school system shall provide copies of all regulations prohibiting discrimination on the basis of race, color, national origin, sex, or handicapping/disabling condition, upon request.

9.4.3 Confidentiality of Records: Complaint records will remain confidential unless permission is given by the parties involved to release such information. No complaint record shall be entered in the personnel file. Complaint records shall be maintained on file for three years after complaint resolution.

Adopted: 8/22/95

Revised: 9/3/03

1/8/19

4/24/23

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| <p style="text-align: center;">SECTION 504<br/>STUDENT AND PARENT RIGHTS IN IDENTIFICATION,<br/>EVALUATION AND PLACEMENT</p> |
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School District:      Roseville Area Schools      Date: \_\_\_\_\_

The following is a description of student and parent rights granted by federal law. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions.

YOU HAVE THE RIGHT TO:

1. Have your child take part in, and receive benefits from, public education programs without discrimination based on a disability.
2. Have the school district advise you as to your rights under federal law.
3. Receive notice with respect to identification, evaluation, or placement of your child.
4. Have your child receive a free appropriate public education. This includes the right to be educated with other non-disabled students to the maximum extent appropriate. It also includes the right to have the school district make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
5. Have your child educated in facilities and receive services comparable to those provided students without disabilities.
6. Have your child receive special education and related services if she/he is found to be eligible under the Individuals with Disabilities Education Act (IDEA) (PL 101-476), or to receive reasonable accommodations under Section 504 of the Rehabilitation Act of 1973.
7. Have evaluation, educational, and placement decisions made based upon a variety of information sources, and by individuals who know the student, the evaluation data, and placement options.
8. Have transportation provided to an out-of-district school placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the school district, if a free appropriate public education cannot be provided in the district.

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9. Give your child an equal opportunity to participate in nonacademic and extracurricular activities offered by the school district.
10. Examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement.
11. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
12. Receive a response from the school district to reasonable requests for explanations and interpretations of your child's records.
13. Request amendment of your child's educational records if there is reasonable cause to believe that they are inaccurate, misleading or otherwise in violation of the privacy rights of your child. If the school district refuses this request, it shall notify you within a reasonable time, and advise you of the right to a hearing.
14. Request mediation or an impartial due process hearing related to decisions regarding your child's identification, evaluation, educational program, or placement. You and your child may take part in the hearing and have an attorney represent you.
15. Ask for payment of reasonable attorney fees if you are successful on your claim.
16. File a local grievance.

The person in the School District who is responsible for Section 504 compliance is:

Niceta Thomas

Name

(651) 635-1608

Telephone Number