

Adopted: 1996

Burnsville-Eagan-Savage School District Policy 521

Reviewed: ~~PRC 8/18/26~~11/7/2024

Revised: 11/21/2024

Rescinds: ACC and JBC

521 STUDENT DISABILITY NONDISCRIMINATION

I. PURPOSE

The purpose of this policy is to protect students with a disability from discrimination on the basis of disability and to identify and evaluate individuals who, within the intent of Section 504 of the Rehabilitation Act of 1973 (Section 504), need services, accommodations, or programs in order that such individuals may receive a free appropriate public education.

II. GENERAL STATEMENT OF POLICY

- A. Burnsville-Eagan-Savage School District provides equal educational opportunity to all qualified individuals. Students with a disability who meet the criteria of Paragraph C. below are protected from discrimination on the basis of a disability.
- B. The Board of Education is committed to identifying and evaluating qualified individuals who, within the intent of Section 504, may need services, accommodations, or programs in order that such individuals may receive a free appropriate public education.
- C. For this policy, a student who is protected under Section 504 is one who:
 - 1. has a physical or mental impairment that substantially limits one or more major life activity, including learning; or
 - 2. has a record of such an impairment;
 - 3. is regarded as having such an impairment, or
 - 4. who is of the age for which non-disabled persons are provided educational services; or
 - 5. who is of an age of which it is mandatory under state law to provide such services to individuals with disabilities; or
 - 6. who is required to receive a free appropriate public education under the Individuals with Disabilities Education Improvement Act.
 - 7. has an impairment that is episodic or in remission and would materially limit a major life activity when active.

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 Improvement Act.

E. Failure to engage in the process to determine if a reasonable accommodation exists that would allow people with disabilities as defined in Minnesota Statutes, section 363A.03, subdivision 12, to participate fully in education may be an unfair discriminatory practice under the Minnesota Human Rights Act.

III. COORDINATOR

Persons who have questions or comments should contact– Dr. Brandon Lowe, Amy Piotrowski, Director of Student Support Services and Engagement, 200 West Burnsville Parkway, Burnsville, MN 55337, 952-707-628361, apiotrowski@isd191.org blowe@isd191.org. This person is the school district's Section 504 coordinator. Persons who wish to make a complaint regarding a disability discrimination matter may contact the Director of Student Support Services and Engagement.

Legal References:

Minn. Stat. § 363A.03, Subd. 12 (Definitions)

Minn. Stat. § 363A.02, Subd. 1 (Public Policy)

42 U.S.C. Ch. 126 (Equal Opportunity for Individuals with Disabilities)

34 C.F.R. Part 104 (Section 504 Implementing Regulations)

20 U.S.C. § 1400 et seq. (Individuals with Disabilities Education Improvement Act of 2004)

Cross References: Burnsville-Eagan-Savage School District Policy 402 (Disability Nondiscrimination)