

**PROCEDURAL SAFEGUARDS  
NON-DISCRIMINATION ON THE BASIS OF DISABILITY**

The District provides the following Notice of Procedural Safeguards to parents/guardians, and disabled persons, as required by 34 Code of Federal Regulations Sections 104.7, 104.8, 104.22 (4) (f), and 104.36 of the Regulations implementing Section 504 of the Rehabilitation Act of 1973.

The District does not discriminate on the basis of disability in admission or access to, or treatment or employment in, its programs and activities.

The District provides a grievance procedure with appropriate due process rights. The Superintendent is the designated employee, charged with coordinating efforts to comply with Section 504. The Assistant Superintendent or Assistant Superintendent's designee is authorized to designate building level Section 504 coordinators at each school building. The parent/guardian of disabled students or any disabled person may use the grievance procedure established by the Board.

**Grievance Procedure:**

Parents/guardians of a student with a disability have the right to notify the above-designated employee with a complaint. Additionally, any disabled individual also has the right to notify the above-designated employee with their complaint.

The designated employee will provide an initial response within ten (10) days of receipt of the complaint. The parties will attempt to work out their differences informally in a prompt and equitable manner. A written record of the resolution shall be made within ten (10) working days of completion. Both parties will receive a copy of the written record. Additionally, the Superintendent will keep a copy on file.

If the issue is not resolved after the informal resolution process, the complainant may: (a) request that the Board places this matter on its non-public agenda; or (b) notify the Superintendent of the complaint. The Superintendent will notify the Board if he/she receives such a complaint.

If the Board schedules the matter for a hearing, the complainant may be represented by any person the complainant chooses, including legal counsel. The complainant may present information through documents and other evidence and witnesses, and may examine witnesses presented by the School District.

Within ten (10) working days of either of the above options, a written record shall be made of the decision. Both parties will receive a copy of the written record. Additionally, the Superintendent will keep a copy on file.

**PROCEDURAL SAFEGUARDS  
NON-DISCRIMINATION ON THE BASIS OF DISABILITY**

(continued)

**Procedural Safeguards:**

The District provides the following notice of procedural safeguards regarding the identification, evaluation, or educational placement of students who need or who are believed to need special education or related services, or access to accommodations:

1. The right to receive a copy of the procedural safeguards when parents/guardians are notified of any district action regarding identification, evaluation or placement of their student. This includes any time that the district intends to evaluate or reevaluate, make changes in classification, placement or any component of the child's free, appropriate public education (FAPE), or upon refusal to act on any parental request.
2. If your child needs or is believed to need special education or related services, the right to an evaluation of your child (1) before the initial placement, and (2) before any subsequent significant change in placement.
3. The right to examine your child's educational records.
4. The right to an impartial hearing concerning the identification, evaluation, or educational placement of the parent/guardian's child, the right to participate in the hearing and to be represented by counsel during the hearing process.
5. The right to appeal and final decision of the impartial hearing officer to a court of competent jurisdiction.

The District also complies with the procedural safeguards requirements of the Individuals with Disabilities Education Act.

**Legal References:**

34 CFR 104.36, Procedural Safeguards  
Section 504 of the Rehabilitation Act of 1973

1<sup>st</sup> Reading: July 16, 2007  
2<sup>nd</sup> Review: August 13, 2007  
3<sup>rd</sup> Review: September 17, 2007  
Adoption: October 1, 2007  
Revised: December 7, 2009, April 6, 2009  
Reviewed: November 16, 2020  
Revised: December 21, 2020  
1<sup>st</sup> Reading: February 3, 2025  
2<sup>nd</sup> Review: February 17, 2025  
Revised: March 17, 2025