



INTRODUCTION TO SECTION 504

Section 504 of the Rehabilitation Act of 1973 is a federal nondiscrimination law designed to protect the rights of students with disabilities in programs and activities that receive federal funds, including public school districts.

To qualify under Section 504, a student must: 1) have a physical or mental impairment that substantially limits one or more major life activities; 2) have a record of such impairment; or 3) be regarded as having such impairment. Learning is a major life activity.

Federal regulations require school districts to provide a “free appropriate public education” (FAPE) to District students who are qualified to receive Section 504 services. FAPE consists of regular and/or special education and related aids and services designed to meet the student’s individual educational needs.

NOTICE OF SECTION 504 RIGHTS

Section 504 of the 1973 Rehabilitation Act is a federal nondiscrimination statute that prohibits discrimination because of disability. The Matanuska Susitna Borough School District (MSBSD) does not discriminate because of disability in its educational programs or activities.

Section 504 requires the District to identify, evaluate, and determine if a student is a qualified individual who requires accommodations to enable access to educational programs and activities. Accommodations are implemented through a Section 504 plan.

Parents may review the educational records of their students, including any Section 504 records. Review rights and requirements are described in School Board Policy 5125 (Student Records), which is available on the District’s website or at the Superintendent’s office at 501 N Gulkana St., Palmer, AK 99645.

A parent or guardian who wishes to challenge an action or omission related to the identification, evaluation, or placement of the student may follow the Section 504 Grievance Procedure described below:

SECTION 504 GRIEVANCE PROCEDURE

Under Board Policy 1312.03, MSBSD shall not discriminate on the basis of disability. MSBSD has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973. Section 504 prohibits discrimination on the basis of disability in any program or activity receiving Federal financial assistance.

Any person or guardian who believes they or their child has been subjected to discrimination on the basis of disability, may file a grievance under this procedure. It is unlawful for MSBSD to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

Procedure:

- Grievances must be submitted to the Section 504 Coordinator within 90 days of the date the person filing the grievance becomes aware of the alleged discriminatory action.
- A complaint must be in writing, containing the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought. MSBSD is not allowed to retaliate against anyone who makes a complaint or participates in the investigation of a complaint.
- The Section 504 District Coordinator (or their designee) shall conduct an investigation of the complaint. This investigation may be informal, but it must be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint.
- The Section 504 Coordinator will issue a written decision on the grievance no later than 30 days after its filing.
- The person filing the grievance may appeal the decision of the Section 504 Coordinator by writing to the Educational Equity Officer (EEO) within 15 days of receiving the Section 504 District Coordinator's decision. The EEO shall issue a written decision in response to the appeal no later than 30 days after its filing. The EEO may be contacted at the location below.

Educational Equity Officer (EEO), MSBSD
501 N. Gulkana Street
Palmer, AK 99645
(907) 746-9285
eoo@matsuk12.us
www.matsuk12.us/eoo

The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the U. S. Department of Education Office for Civil Rights, 915 Second Avenue, Room 3310, Seattle, WA 98174-1099.

MSBSD will make appropriate arrangements to ensure that disabled persons are provided other accommodations, if needed, to participate in this grievance process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing recorded audio of material for the blind, or assuring a barrier-free location for the proceedings. The Section 504 District Coordinator will be responsible for such arrangements.

For information contact:

Section 504 Coordinator
Email: section504@matsuk12.us
Section 504 Records Technician
Phone: 907-746-9244