

# **TRI-TOWNSHIP CONSOLIDATED SCHOOL CORPORATION**

## **POLICY**

## **REGARDING**

### **GENERAL NONDISCRIMINATION POLICY**

It is the policy of the Tri-Township Consolidated School Corporation not to discriminate on the basis of race, color, religion, sex, national origin, age, or handicap in its educational programs or employment policies as required by the Indiana Civil Rights Act (I.C. 22-9-1), Titles VI and VII of the Civil Rights Act of 1964, the Equal Pay Act of 1973, Title IX (1972 Education Amendments), Section 504 of the Rehabilitation Act of 1973, and Title I and Title II of the Americans with Disabilities Act of 1990.

Inquiries regarding compliance with Title IX, Section 504, and the Americans with Disabilities Act, should be directed to the Superintendent of the Tri-Township Consolidated School Corporation, 11 N. Michigan St., LaCrosse, IN or to the Office for Civil Rights, U.S. Department of Education, Washington, D.C.

### **DISABLED INDIVIDUALS POLICY STATEMENT**

It is the policy of the Tri-Township Consolidated School Corporation not to discriminate against any otherwise qualified disabled person, solely by reason of his/her disability, in admission or access to, or treatment or employment in, any program or activity sponsored by this school corporation.

Inquiries regarding compliance with this policy should be directed to the Superintendent of Tri-Township Consolidated School Corporation, 11 N. Michigan St., LaCrosse, IN or to the Office for Civil Rights, U.S. Department of Education, Washington, D.C.

## GRIEVANCE PROCEDURE

Any employee, parent/guardian of a student enrolled in the Tri-Township Consolidated School Corporation, or student eighteen years of age or older may file a grievance if s/he believes there has been a violation of Section 504.

Any such grievance must be filed in writing within a reasonable period of time after the alleged violation occurred. The grievant must fully state the facts of the alleged violation and the remedy that is being sought.

### STEP ONE:

The grievance shall be submitted to the Principal of LaCrosse High School, who shall investigate the circumstances of the alleged violation. The Principal shall make a written report of his/her findings of fact and conclusions within ten (10) school days.

NOTE: If the grievance is filed by an employee of the school corporation, it shall be filed with the superintendent and not the individual identified above.

### STEP TWO:

If the grievance has not been resolved to the satisfaction of the grievant, s/he may appeal the report of the Principal of LaCrosse High School to the Superintendent of the Tri-Township Consolidated School Corporation within five (5) school days of receipt of the report. After investigation and within ten (10) school days of receipt of the appeal, the superintendent shall affirm, reverse, or modify the report of the Principal.

NOTE: If the grievance is filed by an employee of the school corporation and is not resolved by the superintendent to the satisfaction of the employee, the employee may proceed directly to STEP THREE.

### STEP THREE:

If the grievance has not been resolved in STEP TWO to the satisfaction of the grievant, s/he may appeal to the school board within five (5) school days of receipt of the report in STEP TWO. The school board shall conduct an informal hearing in an open meeting to review the alleged violation. The board shall give each party at least five (5) school days' notice of its meeting. The board shall affirm, reverse, or modify the report issued under STEP TWO within fifteen (15) school days of receipt of the appeal.

A complaint regarding the identification, evaluation, or educational placement of a disabled student shall be governed by the due process procedures outlined by the South LaPorte County Special Education Cooperative.

## NOTICE OF PARENTAL RIGHTS

The following rights are those afforded to the parent/guardian of a student who is believed to be disabled under Section 504 of the Rehabilitation Act of 1973:

1. Your child will be evaluated before any decision is made regarding the initial placement or a subsequent significant change in placement in a regular or special education program. You have the right to an independent evaluation at your expense.
2. Any placement decision will be made by a group of persons who are knowledgeable about your child, the meaning of the evaluation data, and the placement options within the school corporation.
3. In addition to any evaluation data, the group will consider such other information as aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior when making any placement decision.
4. Any placement of the student will be with persons who are not disabled to the maximum extent appropriate to the needs of your student.
5. You have the right to examine your child's education records and to exercise all other rights granted to you in The Family Educational Rights and Privacy Act (FERPA).
6. You have the right to request a hearing regarding any decision made by the school corporation with respect to the identification, evaluation, or educational placement of your child.
7. Upon receipt of a request for a hearing, the school corporation will appoint an impartial hearing officer (one who is knowledgeable about Section 504 and who is not an employee of the school corporation). The hearing officer will advise you within a reasonable period of time of the date, time, and place for the hearing. You have the right to be represented by legal counsel or any other representative at this hearing.

A copy of the Section 504 regulations will be given to you along with this notice. Any questions regarding your rights should be directed to the Superintendent of this school corporation.

## TRI-TOWNSHIP CONSOLIDATED SCHOOL CORPORATION

### RIGHT OF PERSONS WITH DISABILITIES SECTION 504 OF THE REHABILITATION ACT OF 1973

The Tri-Township Consolidated School Corporation assures that no otherwise qualified individual with a disability will be excluded from participation in, denied the benefits of, or subjected to discrimination solely by reason of the individual's disability in any of the programs and activities of the school corporation.

For purposes of this policy, programs and activities includes all programs and activities operated directly by the school corporation (including extracurricular and other nonacademic services) and those provided by contractual agreements.

A qualified individual with a disability is a person who has, or has a record of, or is regarded as having, a physical or mental impairment which substantially limits a major life activity.

#### Education Programs

Any qualified individual with a disability enrolled in the Tri-Township Consolidated School Corporation will be provided a free appropriate public education. Such education will consist of regular or special education and related services that have been individually designed to meet the needs of the student. Any placement decision regarding the student will be based on information from a variety of sources, including but not limited to evaluation data, teacher recommendations, aptitude and achievement tests, physical conditions, social and cultural background, and adaptive behavior, and will be made by a group of persons knowledgeable about the student, the information, and the placement options. The placement of the student will be with nondisabled students to the maximum extent appropriate to meet the needs of the disabled student.

Whenever a decision regarding the identification, evaluation, or placement of the disabled student is made, the parent is entitled to notice of the decision; an opportunity to examine relevant records; upon request, a hearing before an impartial hearing officer with opportunity for participation by the parent, guardian, and/or counsel; and a review of the hearing officer's decision.

#### Employment Practices

All decisions regarding the employment of an otherwise qualified individual with a disability and all other employment-related practices of the Tri-Township Consolidated School Corporation will be made in such a manner that ensures discrimination on the basis of a disability does not occur. Employment related decisions may not limit, segregate, or classify applicants or

employees in any way that adversely affects opportunities or status of individuals because of the existence of a disability.

The Tri-Township Consolidated School Corporation will make reasonable accommodations to the known physical or mental limitations of an otherwise qualified applicant or employee with a disability unless the accommodation would impose an undue hardship on the school corporation.

### Facilities

All programs and activities of the school corporation, when viewed in their entirety, will be readily accessible to disabled individuals.

### Compliance

The employees of the Tri-Township Consolidated School Corporation responsible for compliance with this policy are:

Students/Parents:	Aaron Owney 11 N. Michigan St., LaCrosse, IN 219-754-2461
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Employees:	Aaron Owney 11 N. Michigan St., LaCrosse, IN 219-754-2461
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Any individual who believes that there has been a violation of Section 504 and/or this policy may file a complaint with the designated individuals. This complaint process is not available to applicants for employment and should not be used when a parent or guardian objects to any decisions regarding the identification, evaluation, or placement of a student with a disability.

Legal Reference: 29 U.S.C. 794  
34 C.F.R. Part 104

Reviewed and Approved: 10/17/17