

# Policy 521

## Student Disability Nondiscrimination



HEARTLAND LAKES COMMUNITY SCHOOL EXISTS TO EMPOWER SCHOLARS TO:  
BRAVELY LIVE THEIR TRUTH,  
TO BECOME WISE STEWARDS OF THE LAND AND RESOURCES  
AND TO IGNITE LASTING CURIOSITY THAT LEADS TO POSITIVE CHANGE IN THEIR SCHOOL, THEIR COMMUNITIES, AND THEMSELVES.

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| <b>Adoption:</b>  | December 16, 2024 |
| <b>Revision History</b>                                 |                   |
| <b>Last Board Review:</b> December 16, 2024             |                   |
| <b>Next Board Review:</b> December 2027                 |                   |
| <b>Review Frequency:</b> Every 3 Years (per Policy 208) |                   |

### I. PURPOSE

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

### II. GENERAL STATEMENT OF POLICY

- A.** Disabled students who meet the criteria of Paragraph C below are protected from discrimination on the basis of a disability.
- B.** The responsibility of HLCS is to identify and evaluate learners who, within the intent of Section 504, need services, accommodations, or programs in order that learners may receive free appropriate public education.
- C.** For this policy, a learner who is protected under Section 504 is one who:
  - 1.** has a physical or mental impairment that substantially limits one or more major life activities, including learning; or
  - 2.** has a record of such impairment;
  - 3.** is regarded as having such impairment; or
  - 4.** 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 Act (IDEA).

### III. BLOOD BORNE PATHOGENS

- A. Students infected with serious communicable or infectious diseases transmitted by blood, including but not limited to Human Immunodeficiency Virus (HIV), Acquired Immunodeficiency Syndrome (AIDS), and Hepatitis B shall be placed in an appropriate educational program which will maximize the well-being of the infected student and minimize the risk of infections for other students and staff.
- B. It is the policy of HLCS that students with communicable diseases transmitted by blood and other potentially infectious materials not be excluded from attending school in their regular classrooms so long as their attendance does not create a substantial risk of the transmission of illness to students of HLCS. Procedures for minimizing interruptions to learning from communicable diseases have been established by HLCS in consultation with community health and private health care providers. The appropriate placement of infected students shall be determined by administration with the adopted procedures.

#### **IV. COORDINATOR**

Persons who have questions, comments, or complaints should contact the 504 Coordinator. This person is the school district's Americans with Disabilities Act (ADA)/Section 504 coordinator. Persons who wish to make a complaint regarding a disability discrimination matter should notify the Director.

Legal References:      Minn. Stat. ss 363A.03, Subd. 12 (Definitions)  
                                 42 U.S.C. Ch. 126 (Equal Opportunity for Individuals with Disabilities)  
                                 29 U.S.C. ss 794 et seq. (Rehabilitation Act of 1973, ss 504)  
                                 34 C.F.R. Part 104 (Section 504 Implementing Regulations)

Cross References:      MSBA/MASA Model Policy 402 (Disability Nondiscrimination)

*Note: The applicability and enforceability of this policy 521 is limited to, and qualified by, Minnesota or Federal law that, at the time any such circumstance within the scope of the policy arises, may be contrary to some aspect or all of the policy.*