



## GRIEVANCE PROCEDURE – STUDENT DISABILITY NONDISCRIMINATION

(SEE BOARD POLICY 521)

### A. Grievance Procedures

#### 1. File Complaint with District ADA/Section 504 Coordinator

If a student's parent or guardian, or a student who has reached 18 years of age (i.e., "eligible student"), has a complaint of discrimination on the basis of a disability, the parent, guardian, or eligible student may file a local grievance (also referred to as a "complaint") with the district ADA/Section 504 Coordinator. If the complaint relates to the district ADA/Section 504 Coordinator, then the complaint may be submitted to the Superintendent. The school district encourages the parent, guardian, or eligible student to file a complaint within thirty (30) days of the alleged violation whenever possible. Upon filing a complaint with the district, the parent, guardian, or eligible student will be asked to provide a brief description of the alleged discriminatory action, the date of the alleged action, and the name of the person(s) responsible for the alleged action.

#### 2. Investigation of Complaint

By authority of the school district, the ADA/Section 504 Coordinator, upon receipt of a complaint shall promptly undertake or authorize an investigation unless the matter can be resolved informally. The investigation may be conducted by school district officials or by a third party designated by the school district.

The investigation may consist of personal interviews with the parent, guardian, or eligible student, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

The investigation will be completed within thirty (30) days of receipt of the complaint, unless good cause exists for a longer period of time. The result of the school district's investigation will be reported in writing to the parent, guardian, or eligible student by the school district in accordance with state and federal law regarding data or records privacy.

#### 3. Appeal of Complaint

In the event the parent, guardian, or eligible student does not believe that the complaint has been resolved to his or her satisfaction, he or she may appeal to the ADA/Section 504 Coordinator. If the ADA/Section 504 Coordinator (as opposed to some other individual designated by the school district) conducted the investigation, the appeal may be filed directly with the Superintendent. An appeal must be made within ten (10) school days of receipt of the school district's report in writing.

#### 4. Review of Appeal

The ADA/Section 504 Coordinator shall conduct a review of the appeal and within ten (10) school days of receipt of the appeal, shall investigate further if necessary and respond in writing to the parent, guardian, or eligible student to the extent allowed by law. If the ADA/Section 504 Coordinator conducted the investigation, this review shall be conducted by the Superintendent. The decision of the ADA/Section 504 Coordinator (or of the Superintendent if that individual conducted the review) is final but does not prohibit the parent, guardian, or eligible student from pursuing alternative complaint procedures as discussed below in paragraphs B and C.

B. Complaint with OCR

The parent, guardian, or eligible student may file a complaint with the Office for Civil Rights (“OCR”).

U. S. Department of Education  
Office for Civil Rights, Region V  
500 W. Madison Street – Suite 1475  
Chicago, IL 60661  
Tel: 312-730-1560 Fax: 312-730-1576  
Email: OCR.Chicago@ed.gov

C. Alternative Procedures

The grievance procedures in paragraph A do not prevent a parent, guardian, or eligible student from filing a complaint with the OCR or in federal court at any time.

D. Post

The school district shall conspicuously post the name of the ADA/Section 504 Coordinator and human rights officer(s), including office mailing addresses and telephone numbers.

E. Privacy

The school district will respect the privacy of the student, parent, guardian, or eligible student, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district’s legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations.