

## **SECTION 504 -- AMERICANS WITH DISABILITIES ACT PROCEDURES (EMPLOYEES AND SCHOOL VISITORS) – IDDHA**

Any person who believes that he/she or any class of individuals have been subjected to discrimination as prohibited by Section 504 of the Rehabilitation Act of 1973 or the Americans With Disabilities Act may file a complaint pursuant to the procedures set forth below, on his/her own behalf, or on behalf of another person or on behalf of handicapped persons as a class. All persons are encouraged to file grievances to resolve any disputes arising under these laws. Your filing a complaint will not subject you to any form of adverse action, reprimand, retaliation or otherwise negative treatment by school district personnel.

1. Within ten (10) days of when a complainant knew or should have known of discriminatory conduct, a complaint shall be given in writing to the Section 504/ADA Coordinator. The complaint shall describe specifically the time, place and nature of, and the participants in the alleged discriminatory acts. The Section 504/ADA Coordinator shall, within ten (10) days of receipt of the complaint, conduct or cause to be conducted a thorough investigation including questioning of all parties involved in the complaint. A written record shall be made of the statements by all parties involved. After the investigation is complete, the Section 504/ADA Coordinator shall meet with the complaining party and give a full report of the findings.
2. If the grievance or complaint is not satisfactorily resolved at Step 1, the complainant shall have ten (10) days to appeal the Step 1 findings to the Superintendent. The complainant shall present his complaint in writing, describing the reasons for his/her dissatisfaction with the results of Step 1. The Superintendent or his/her designee shall review all aspects of the complaint and complete an additional investigation if necessary. The Superintendent shall respond to the complainant in writing within ten (10) days of receipt of the written appeal.
3. If the complainant is not satisfied with the results of Step 2, the complaining party shall have fifteen (15) days from receipt of the Superintendent's decision to appeal the complaint to the school board. The appeal shall be in writing, describing the reasons for complainant's dissatisfaction with the results of Steps 1 and 2. The

complainant shall have the opportunity to present an oral statement to the board before the board makes its decision. The board's decision shall be rendered within fifteen (15) days after receipt of the appeal.

LEGAL REF.: Section 504 of the Rehabilitation Act of 1973

~~CROSS REF.: Policies IB—Instructional Goals—~~

~~\_\_\_\_\_ IDDF—Special Education Programs—~~

~~\_\_\_\_\_ JAA—Equal Educational Opportunities—~~

~~**Sample Policy Disclaimer:** MSBA policies are provided solely as a sample. Any board of education adopting MSBA sample policies should use the samples as a framework or starting point and, after carefully reviewing the applicable laws, regulations and state rules, modify the policies as appropriate to meet the needs of the local school system. All policies should be carefully reviewed by the board of education's legal counsel.~~

~~—~~

~~—~~

~~\_\_\_\_\_~~

Last Review Date: \_\_\_\_\_

Review History:[1/1/1900][1/1/1901]





**Section: I Instructional Program**

**Policy Code: IDDHA**

**Policy: Section 504 – Americans With Disabilities Act Procedures (Employees and School Visitors)**

Any person who believes that he/she or any class of individuals have been subjected to discrimination as prohibited by Section 504 of the Rehabilitation Act of 1973 or the Americans With Disabilities Act may file a complaint pursuant to the procedures set forth below, on his/her own behalf, or on behalf of another person or on behalf of handicapped persons as a class. All persons are encouraged to file grievances to resolve any disputes arising under these laws. Your filing a complaint will not subject you to any form of adverse action, reprimand, retaliation or otherwise negative treatment by school district personnel.

1. Within ten (10) days of when a complainant knew or should have known of discriminatory conduct, a complaint shall be given in writing to the Section 504/ADA Coordinator. The complaint shall describe specifically the time, place and nature of, and the participants in the alleged discriminatory acts. The Section 504/ADA Coordinator shall, within ten (10) days of receipt of the complaint, conduct or cause to be conducted a thorough investigation including questioning of all parties involved in the complaint. A written record shall be made of the statements by all parties involved. After the investigation is complete, the Section 504/ADA Coordinator shall meet with the complaining party and give a full report of the findings.
2. If the grievance or complaint is not satisfactorily resolved at Step 1, the complainant shall have ten (10) days to appeal the Step 1 findings to the Superintendent. The complainant shall present his complaint in writing, describing the reasons for his/her dissatisfaction with the results of Step 1. The Superintendent or his/her designee shall review all aspects of the complaint and complete an additional investigation if necessary. The Superintendent shall respond to the complainant in writing within ten (10) days of receipt of the written appeal.
3. If the complainant is not satisfied with the results of Step 2, the complaining party shall have fifteen (15) days from receipt of the Superintendent's decision to appeal the complaint to the school board. The appeal shall be in writing, describing the reasons for complainant's dissatisfaction with the results of Steps 1 and 2. The complainant shall have the opportunity to present an oral statement to the board before the board makes its decision. The board's decision shall be rendered within fifteen (15) days after receipt of the appeal.

LEGAL REF.: Section 504 of the Rehabilitation Act of 1973

Last Review Date: \_\_\_\_\_

Review History: [1/1/1900][1/1/1901]

Adopted Date: 7/27/2023