

POLICY TITLE: Americans with Disabilities Complaint Procedure

POLICY NO: 292P1

PAGE 1 of 2

Any person who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the district may do so following the procedures below. Policy 401 governs employment-related complaints of disability discrimination.

Filing of Complaint: Complaints must be submitted in writing and may be submitted to (a) the principal of the school conducting the relevant program, service or activity; (b) the superintendent; or (c) the designated 504/ADA Coordinator if other than the superintendent.

Timelines and Procedures:

- Complaints must be submitted within sixty (60) calendar days of the perceived discrimination. The 60-day requirement shall be strictly applied, except when the 504-ADA Coordinator determines that the circumstances exist to warrant a waiver.
- Within fifteen (15) calendar days after receipt of the complaint, the 504/ADA Coordinator or designee will meet with the complainant to discuss the complaint and the possible resolutions.
- Within fifteen (15) calendar days of the meeting, the 504/ADA Coordinator or designee will respond in writing and, where appropriate, in a format accessible to the complainant, such as large print, Braille, or audiotape. The response will explain the position of the district and offer options for substantive resolution of the complaint, as appropriate.

Appeals:

- If the response by the 504/ADA Coordinator or designee does not satisfactorily resolve the issue, the complainant may appeal the decision within fifteen (15) calendar days after receipt of the response to a 504/ADA Compliance Committee designated by the superintendent.
- Within fifteen (15) calendar days after receipt of the appeal, the 504/ADA Compliance Committee will meet with the complainant to discuss the complaint and possible resolutions.
- Within fifteen (15) calendar days after the meeting, the 504/ADA Compliance Committee will respond in writing and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.
- All written complaints received by the 504/ADA Coordinator or designee, appeals to the 504/ADA Compliance Committee, and responses therefrom, will be retained by the district for at least three (3) years.

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LEGAL REFERENCE:

Americans with Disabilities Act,

42 USC 12101

28 CFR § 35.107(a)

28 CFR § 35.107(b)

28 CFR § 35.130(a)

Section 504 of the 1973 Rehabilitative Act

29 USC 794

ADOPTED: December 15, 2015

AMENDED: