

SECTION 504 GRIEVANCE PROCEDURE

Ongoing communication between parents, teachers, and the school district will help avoid disagreements related to a student's accommodation plan. If a person believes that the school district or any of the district's staff has inadequately applied the principles and/or regulations of Section 504 that person has numerous options to address his/her concern(s). The U.S. Department of Education maintains the Office of Civil Rights to enforce Section 504 and other civil rights laws. All parents have the right to directly contact the Office of Civil Rights in their region if they believe that their child is being discriminated against. However, most differences can be resolved before contacting the Office of Civil Rights. It is suggested parents follow the procedures outlined below:

- **Try to resolve the differences at the teacher/administrator or school level**
Set up a meeting to discuss the differences. If the plan is not appropriate, it should be revised following the same procedures used to develop the original plan. Because situations change and students' needs change, flexibility in this process will help everyone meet the students' needs.
- **File a grievance with the school's equity coordinator**
The procedure usually involves four levels:

 1. The parent contacts the building principal to discuss and resolve the issue.
 2. If the issue is not resolved, the parent should file a complaint with the district 504 Coordinator.
 3. If a resolution is not reached, the complaint goes to the superintendent.
 4. The final step toward resolution involves the school board.
- **Ask for mediation**
This is a service offered by the AEA. A neutral individual will work with the parties involved to help resolve the differences.
- **Request an impartial hearing**
A parent can also request an impartial hearing regarding the school district's decisions. The impartial hearing officer needs to be an individual from outside the school district. However, the officer should not be from a school or district with which the home school district has a contract to jointly provide services or from the Area Education Agency in which the school district is located. A due process hearing will occur as soon as possible. At the hearing, the parent/guardian and district may be represented by legal counsel, may examine relevant records, and participate in the hearing. Within ten school days after the conclusion of the hearing, the hearing officer will render a written decision. The written decision shall include applicable findings of fact and conclusions of law and will be submitted to the parent/legal guardian and to the Board of Education. The decision of the hearing officer will be the final administrative decision on the Section 504 matter.
- **Contact the Office of Civil Rights**