

Procedural Requirements of Section 504

Designated Compliance Office: The designated compliance officer for the district is the Director of Student Services.

Grievance Procedure: If a parent, student, or employee believes the district has discriminated against a qualified person with a disability, that person may address the grievance either to the building administrator, or to the Director of Student Services. If the complaint is made under the district's general harassment policy, it will be forwarded to the Director of Student Services.

Level One—This level is informal and optional (it may be bypassed). A grievance may be brought to the building administrator, and resolved by action at the building level. The grievance need not be in writing in order for a level one resolution.

Level Two—It is the district's policy to resolve complaints with as little disruption to the educational process as possible, and, for the benefit of all involved parties, as quickly as possible. As such, if a verbal or written complaint of discrimination is made and it is possible to ascertain whether there has been discrimination without investigation, and if there is a suitable resolution that is agreeable to the complainant, the resolution will be implemented and the complainant will receive a written response within 10 working days.

If a written formal complaint is made, and it is not possible to ascertain whether there has been discrimination without a formal investigation, the Director of Students Services will ensure that an impartial investigation is conducted. This investigation will provide the complainant with the following:

- a. an opportunity to present his or her grievances verbally and in writing,
- b. an opportunity to submit documentation related to the grievance,
- c. notice that the decision may be appealed to the Superintendent,
- d. written notice of rights and the right of the complainant to a hearing conducted under OAR 581-015-0109.

The complainant will receive a written response within 30 days, unless unusual circumstances exist that prevent the completion within that period of time.

Level Three—If the complainant is dissatisfied with the results of the Level Two investigation, he or she may appeal these results by presenting a written appeal to the Superintendent within five working days of receipt of the results. The Superintendent may request a meeting with the complainant to discuss the appeal. The Superintendent will issue a written decision within 15 days of the receipt of the appeal, unless unusual circumstances require a longer period of time. The individual will be provided with:

- a. written notice that the decision may be appealed to the school district Board of Directors,

- b. written notice of rights and the right of the complainant to a hearing conducted under OAR 0581-015-0109.

Level Four—If the complainant is dissatisfied with the results of the Level Three review by the Superintendent, the results may be appealed to the school district Board of Directors. A request for this appeal must be made in writing within five working days of the receipt of the Superintendent’s decision. The School Board will review the complaint in executive session and issue a written response to the complainant within a reasonable period of time.

Assistance for Persons with Disabilities: A complainant with a disability will be provided with aids and services that would allow him or her equal access to the full complaint process.

Retaliation: The complainant or any party in a complaint is protected against any form of retaliation based on the bringing forth of a complaint.

Notification of Rights: Parents are notified of their rights under Section 504:

- a. when the district proposes to evaluate their child for eligibility or other purposes,
- b. when they file a complaint alleging discrimination under Section 504,
- c. when their child is made eligible under Section 504, and
- d. annually, or when a new program plan is developed for the child.

Parents also have the right to review any educational records regarding their child. If a parent requests a hearing to contest the student’s placement or program under OAR 581-015-0109, the district will maintain the child’s placement and program during the period of the hearing.

Assurance of Compliance and Public Notice: Whenever the district applies for federal funds, the district provides written assurance of nondiscrimination. Written notice is also provided in district publications to student, parents, employees, unions, and professional organizations that the district does not discriminate in admission or access to, or treatment or employment in its programs or activities. This includes an annual notice to students with disabilities and their parents or guardians regarding the district’s responsibilities under Section 504.

Child find: The district annually identifies and locates all Section 504 qualified children who are district residents.