

FARMINGTON PUBLIC SCHOOLS

Americans with Disabilities Act (ADA) / Section 504 of the Rehabilitation Act of 1973 (Section 504)

Grievance / Complaint Procedure

The School District has adopted the following Grievance/Complaint Procedure for addressing complaints of discrimination on the basis of disability:

Step 1: A person who believes that he/she has been discriminated against by the School District may discuss the matter informally with the immediate supervisor in the case of an employee, the building principal, in the case of a student, or the Director of Instructional Equity. A person may, instead, proceed directly to Step 2. The person receiving the complaint shall verbally convey his/her findings to both the person who alleged the violation and the person who is the subject of the complaint within ten (10) days.

NOTE: The informal complaint procedure is provided as a less formal option. This informal procedure is **not** required before filing a formal complaint. Moreover, a person who seeks resolution through the informal process may request, at any time, that the matter be moved to the formal complaint process.

Step 2: If the informal Step 1 process does not resolve the matter, or if the person chooses not to use the informal procedure, a written complaint may be filed with the Director of Instructional Equity. The complaint shall include: (1) the complaining person's name; (2) the facts of the incident or action complained about; (3) the date of the incident or action giving rise to the complaint; (4) the type of discrimination alleged to have occurred; and (5) the specific relief sought. A Step 2 meeting shall be conducted within ten (10) school days following the submission of the written complaint. Within the next ten (10) school days, the Director of Instructional Equity shall issue a written disposition, with copies to be given to both the person who alleged the violation and the person who is the subject of the complaint.

Step 3: If either party wishes to appeal the decision of the Director of Instructional Equity, he/she may submit a written appeal to the Superintendent of Schools within ten (10) school days after receipt of the decision. The Superintendent or his/her designee shall meet with all parties involved and respond to the complaint, in writing, within ten (10) school days of the date of the appeal. Copies shall be provided to both the complainant and the person who is the subject of the complaint.

Step 4: If either party wishes to appeal the decision of the Superintendent of Schools, he/she may submit a written appeal to the President of the Board of Education. The appeal shall be filed within ten (10) school days of receipt of the decision. The President will decide, within his/her sole discretion, whether the Board will consider the appeal. The parties will be advised of this decision. In the event that the Board President decides to permit an appeal to proceed, the parties will be advised of the process in which the review will be conducted, as well as the anticipated timeline.

The School District hereby provides assurance that it strictly prohibits any form of retaliation against persons who utilize this Grievance/Complaint Procedure.

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