

**SECTION 504 OF THE REHABILITATION ACT OF 1973
GRIEVANCE PROCEDURE**

Definitions

1. Claimant shall mean a citizen, parent, student, employee or prospective employee who claims a school district violation of Section 504 of the Rehabilitation Act of the Americans with Disabilities Act (ADA).
2. Claimed violations shall mean a failure to comply with Section 504 or Americans with Disabilities Act rules and regulations prohibiting discrimination based upon disability.
3. The Section 504/ADA Compliance Officer shall mean the person designated by the Board of Education to coordinate activities relating to compliance with Section 504/ ADA rules and regulations.

Basic Principles

1. It is the intent of these procedures to provide for the orderly presentation and settlement of claimed violations of Section 504 of the Americans with Disabilities Act rules and regulations.
2. The claimant has a right to present claimed violations of Section 504 of the Americans with Disabilities Act free from coercion, interference, restraints, discrimination or reprisal.
3. It shall be the responsibility of the Section 504/ADA Compliance Officer and/or 504 Coordinator to take such steps as may be necessary to give force and effect to these procedures.
4. The Somers Central School District official responsible for coordination of procedures for community members and personnel relating to Section 504/ADA shall be the Superintendent of Schools or his/her designee. The Somers Central School District official responsible for the coordination of procedures for students related to Section 504/ADA shall be the 504 Compliance Officer/Coordinator.

Procedures for Employees and Applicants for Employment

In situations where staff members or prospective employees believe there has been discrimination against them on the basis of disability, they may submit a complaint to the Section 504/ADA Compliance Officer.

Procedures for Students and Parents

Step 1

- a. The student or parent will discuss said complaint with the Building Principal. The complaint will be informally discussed, and if possible, a solution should be recommended.
- b. If a formal written complaint is filed with the Principal, he/she shall provide a written decision. Copies of the written decision shall be sent to the complainant and the 504 Coordinator.

Step 2

- a. If the complaint is not satisfactorily resolved at Step 1, the complainant may request, in writing, a resolution of the claimed violation from the Section 504 Coordinator.
- b. The 504 Coordinator shall meet the student and/or parent with the objective of arriving at a mutually agreeable solution.
- c. After the meeting, the 504 Coordinator shall notify the complainant in writing of the decision and the reasons therefor.

Step 3

- a. The complainant, if still dissatisfied, may request, in writing, a hearing and determination of the claimed violation by the Superintendent of Schools.
- b. The Superintendent shall, after receipt of the written request, meet the student and/or parent with the objective of arriving at a mutually agreeable solution.
- c. After meeting, the Superintendent shall notify the complainant in writing of the decision and the reasons therefor.
- d. If the complainant is not satisfied with the decision of the Superintendent of Schools, an appeal may be made to the Board of Education. The board shall authorize an impartial hearing and appoint a hearing officer. The hearing officer shall be an individual who has not participated at any stage of the complaint process. The hearing shall be scheduled at a mutually convenient time. Following the hearing, a written decision, including appropriate notification of appeal procedures, will be communicated to all parties.

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