

WHITEHALL DISTRICT SCHOOLS

SECTION 504 COMPLAINT/GRIEVANCE PROCEDURE

*Under Section 504 in accordance with the Section 504 regulation at 34 C.F.R. / 104.7 (b) a complaint of disability discrimination under Section 504 is separate and independent from a Section 504 due process hearing. An individual is not required to pursue an informal resolution process prior to filing a formal complaint of disability discrimination with the District.

Whitehall District Schools has adopted the following Grievance Procedure for addressing complaints of discrimination under Section 504. A person is not required to use this procedure and may instead file a complaint directly with the US Department of Education's Office for Civil Rights, 1350 Euclid Avenue, STE 325, Cleveland, OH 44115:

Step 1:

A person who believes that he/she has been discriminated against by the Whitehall District schools is encouraged, but not required, to discuss the matter informally with the appropriate building principal, in the case of a student, or his/her immediate supervisor, in the case of an employee.

- If the building principal or the immediate supervisor is the subject of the complaint, or the grievant is not a student or employee, the grievant may, instead, contact Whitehall District Schools Section 504 Coordinator.
- 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 10 business days.

Step 2:

If the informal Step 1 process does not resolve the matter, or if the grievant does not wish to use the informal process set forth in Step 1, a written complaint may be submitted to Whitehall District Schools Section 504 Coordinator who will investigate the complaint.

- If the Section 504 Coordinator is the subject of the complaint, the complaint should be submitted to the Superintendent of Schools who will appoint another administrator to conduct the investigation.
- The complaint shall be signed by the grievant and include: grievant's name and contact information; facts of the incident or action complained about; date of the incident or action giving rise to the complaint; the type of discrimination alleged to have occurred and specific relief sought. Note: Witnesses names and other evidence as deemed appropriate by the grievant may also be submitted.
- An investigation of the complaint will be conducted within 10 business days following the written complaint. The investigation shall include an interview of the parties and witnesses, a review of relevant evidence, and any other steps necessary to ensure prompt and thorough investigation of the complaint.

- A written disposition of the complaint shall be issued within 10 business days of the completion of the investigation, unless a specific written extension of time is provided to the parties. Copies of the disposition will be given to both the grievant and the person who is the subject.

Step 3:

If the grievant wishes to appeal the decision in Step 2 above, the grievant may submit a signed, written appeal to the Superintendent of Schools within 10 business days after receipt of the written disposition. The Superintendent and his/her designee shall respond to the complaint, in writing, within 10 business days of the date of the appeal. Copies of the response shall be provided to the grievant and the person who is the subject of the complaint.

Whitehall District Schools provides assurance that it strictly prohibits any form of retaliation against persons who utilize this Grievance Procedure. Further, a grievant making a complaint is neither required to prosecute the matter nor confront the alleged discriminator or harasser when that would be inappropriate.

If you have questions regarding these procedures or want to file a complaint, please contact Whitehall District Schools District 504 Coordinator:

Dr. Jerry McDowell
Whitehall District Schools
541 East Slocum
Whitehall, MI 49461
(231) 893-1010

REQUEST FOR SECTION 504 DUE PROCESS HEARING FORM

*Section 504 due process hearing request is separate and independent from a complaint of disability discrimination under Section 504 in accordance with the Section 504 regulation at 34 C.F.R. § 104.7(b).

Grievant Name: _____

Grievant Address: _____

Phone Number: _____

Email Address: _____

Describe the alleged violation of Section 504 as it pertains to the identification, evaluation, and educational placement of persons who, because of a disability, need or are believed to need special instruction or related services. The description may include: a summary and outcomes or meetings and evaluations conducted by the building. Attach additional pages if needed.

Describe your proposed resolution/remedy to alleged problem(s)/violations(s).

Signature of the Grievant or Parent/Guardian

Date

Please submit form to:

Dr. Jerry McDowell
Whitehall District Schools
541 East Slocum
Whitehall, MI 49461
(231) 893-1010