

## Section 504 Grievance Procedures

Section 504 of the Rehabilitation Act prohibits discrimination based on disability. In accordance with Section 504, any program participant (student, staff member, etc.), who has reason to believe that they have been mistreated, denied services, or discriminated against in any aspect of services or employment because of a disability may file a grievance. Shakopee Public Schools has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Health and Human Services regulation (45 DFR Part 84) implementing Section 504 of the Rehabilitation Act of 1973 as amended (29 U.S.C. 794).

The law and regulations may be examined in the Shakopee District Office. The Superintendent shall designate a person to coordinate the efforts of Shakopee Schools to comply with the regulations.

1. A grievance must be in writing, contain the name and address of the person filing it, and briefly describe the action alleged to be prohibited by the regulations.
2. A grievance must be filed in the office of the Section 504 Coordinator within 30 days after the person filing the grievance became aware of the action alleged to be prohibited by the regulations. This time frame may be waived by the Section 504 Coordinator if extenuating circumstances existed which justifies an extension.
3. The Section 504 Coordinator, or his/her designee, shall conduct such investigation of a grievance as may be appropriate to determine its validity. This investigation affords all interested persons and their representative, if any, an opportunity to submit evidence relevant to the grievance. Under Section 504, Shakopee Schools need not process complaints from applicants for employment.
4. The Section 504 Coordinator shall issue a written decision determining the validity of the grievance no later than 30 days after its filing.
5. If the grievance has not been resolved at this point, the grievant may request in writing that the Special Services Director review the decision of the Section 504 Coordinator. Such request must be made within 5 days of receipt of the decision by the Section 504 Coordinator.
6. The Special Services Director shall have an additional 15 days to resolve the grievance before notifying the grievant in writing of his/her decision and list the evidence on which the decision is based.
7. If the grievance is then unresolved, the grievant will be advised in writing of the right to file a complaint with the appropriate state and federal civil rights offices and will be provided with the names and addresses of such offices, including the Office for Civil Rights of the U.S. Department of Health and Human Services at 233 N. Michigan Ave., Suite 240, Chicago, IL 60601.

