

Policy IHBAL-R - GRIEVANCE PROCEDURE FOR PERSONS WITH DISABILITIES

The School Board has adopted this grievance procedure to provide a local avenue for persons with disabilities to raise concerns about whether the school unit is fully meeting its obligations under state and federal laws to protect persons with disabilities. This procedure is intended to meet the requirements of the federal Rehabilitation Act (34 CFR § 104.7(b)) and the federal Americans with Disabilities Act (28 CFR § 35.107(b)).

Questions about this grievance procedure should be directed to the ADA/504 compliance coordinator.

Step One

A person with an identifiable disability, or someone acting on that person's behalf, may file a written grievance regarding compliance with state or federal disabilities laws with the ADA/504 compliance coordinator in the building where the grievance arose. If filed with the ADA/504 compliance coordinator, that person will notify the building principal that the grievance has been received. No grievance will be heard if it involves actions that occurred more than 60 days prior to the filing of the grievance.

The ADA/504 compliance coordinator, shall respond in writing to the grievance within 15 working days of its receipt. Extensions of 15 working days may be allowed if necessary to address fully the issues in the grievance, which will be jointly determined by the ADA/504 compliance coordinator and building principal. The ADA/504 compliance coordinator's written response shall be forwarded to the grievant and to the building principal.

Step Two

If dissatisfied with the response, the grievant may obtain a review by the Superintendent of the ADA/504 compliance coordinator's decision. The grievant must request that review within 15 working days of the decision by the ADA/504 compliance coordinator. The Superintendent, after consultation with the ADA/504 compliance coordinator, shall respond in writing to the grievance within 15 working days. Extensions of 15 working days may be allowed when necessary to address fully the issues in the grievance. The Superintendent's written response shall be forwarded to the grievant and to the ADA/504 compliance coordinator.

[NOTE: Except for grievances regarding physical alterations to school buildings or grounds, the decision of the Superintendent shall be final. In the case of grievances regarding physical alterations to school buildings or grounds, a dissatisfied grievant may obtain a review by the School Board of the Superintendent's decision.

The grievant must request that review within 15 working days of the decision by the Superintendent. The School Board shall have a reasonable time to schedule a meeting on the grievance and to issue its decision.

Nothing in this grievance procedure in any way forecloses a person with a disability from seeking redress for their concerns at any time through other legal avenues, such as through the Office for Civil Rights, the Department of Justice, the Maine Human Rights Commission or the Maine Department of Education.

Questions about other legal avenues available for persons with disabilities to pursue compliance concerns under various disabilities laws should be directed to the ADA/504 compliance coordinator. This notice is available in large print and on audio format from the ADA/504 compliance coordinator.]

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