

Section 504 Grievance Procedures

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act prohibit discrimination against students with disabilities. Any student, parent or guardian who believes that they have been discriminated against by or within the Spartanburg District Six Schools has the option of using the complaint procedures outlined below. The OCR complaint process is available whether or not the complainant participates in the District's complaint resolution process.

For the process below the following definitions will be used:

1. **Grievance-** A grievance is the filing of a written complaint alleging that there has been an act of discrimination on the basis of disability.
2. **Complainant-** An individual who brings either a formal or informal complaint or alleged discrimination

Procedure

When a complainant has a complaint against Spartanburg District Six Schools for disability discrimination, the following procedures will be followed in the handling of such complaint.

Informal

Anyone may use the informal complaint procedures to report and resolve complaints of disability discrimination. Use of the informal complaint process is not required prior to filing a grievance.

The complainant is encouraged to first meet and discuss the complaint with the teacher, counselor, or building administrator involved with the objective of resolving the matter promptly and informally. Employees with a complaint are encouraged to first discuss it with their principal or immediate supervisor with the same objective. If the complaint is not resolved as a result of that meeting, or if the complainant wishes to bypass the informal complaint process, the complainant may file a grievance.

Step 1

The grievance must be filed using the Section 504/ADA Grievance Filing Form. The Complainant must sign and date the grievance. The written grievance must be filed with the District Section 504/ADA Coordinator within ten (10) school days of the event or incident, or from the date the Complainant could reasonably become aware of such occurrence. The District Section 504/ADA Coordinator shall investigate the matters of the grievance and reply in writing to the complainant within ten (10) school days.

Step 2

If the complainant wishes to appeal the decision of the District Section 504/ADA Coordinator, he/she may submit a signed statement of appeal to the Associate Superintendent of Personnel or his/her designee within ten (10) school days of the date of the District Coordinator's response.

The Associate Superintendent of Personnel or his/her designee will meet with all parties involved, formulate a conclusion, and respond in writing to the grievance within ten (10) school days.

Step 3

If the response by the Associate Superintendent of Personnel does not satisfy or resolve the issue, the complainant may appeal the decision to the Superintendent of Spartanburg District Six Schools or his/her designee within ten (10) school days after receipt of the response.

Within ten (10) school days after receipt of the appeal, the Superintendent of Spartanburg District Six Schools or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within ten (10) business days after the meeting, the Superintendent of Spartanburg District Six Schools or his/her designee will respond in writing with a final resolution of the complaint.

Step 4

The complainant may file a complaint with the U.S. Department of Education, Office for Civil Rights at any time before or during the grievance procedures.