

## STUDENT SERVICES

File: JBA-R

### SECTION 504 NONDISCRIMINATION POLICY AND GRIEVANCE PROCEDURES

1. When a student or student's parents/guardian believes that the student has been discriminated against on the basis of disability, the student and/or parents/guardians shall have the right to file an informal or formal grievance in accordance with the procedures outlined in [Policy JBA](#).
2. The student, who believes he or she has been discriminated against due to disability shall contact the Director of Special Education and Student Services to request a hearing or begin the grievance process. The Director serves as the Compliance Officer in Section 504 investigations.
3. The Director shall meet informally with the student and/or parents to determine the basis for the request.
4. When the issue is identified, the Director shall complete an investigation of the complaint which should be completed within 15 school days of the receipt of the complaint.
5. A complete detail of the investigation procedure is located in Policy JBA.
6. The Director/Compliance Officer will issue a written report to the Superintendent upon completion of the investigation.
7. Within 10 school days of the receipt of the Director's/Compliance Officer's report, the Superintendent or designee shall issue a decision regarding the results of the investigation.
8. The decision shall identify whether the policy was violated and if so, what action, if any, will be taken.
9. If discrimination was identified, the Superintendent shall notify the complainant.
10. If discrimination was identified, the school division shall take prompt, appropriate action to address and remedy the harm and prevent any recurrence.
11. If no discrimination is identified, the complainant may appeal the decision of the Superintendent within 5 calendar days of receiving the decision. The appeal decision must be made by the School Board within 30 calendar days of receipt of the decision.
12. The complete procedures for the investigation and appeal are located in Policy JBA.

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13. All procedures for identification and services for students with disabilities under [Section 504](#) may be found in the Department of Student Services Procedures Manual. A copy is located in each school and at the Office of Special Education and Student Services.

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Legal Reference: 29 U.S.C. § 784  
34 CFR Part 104 7 (b)

Cross Reference JB Equal Educational Opportunities/Nondiscrimination  
JO Student Records