

## **ADA GRIEVANCE PROCEDURE**

The Americans with Disabilities Act of 1990 (ADA) secures the right of individuals (whether employees, students, visitors, or others) to file a complaint with a school district or other public entity in any instance in which an individual believes that a violation of the ADA requirements related to public entities has occurred. Any employee who believes a violation of the ADA's requirements, related to the district, has occurred with respect to the employee's employment may utilize the applicable employee grievance procedure. Any employee who believes that a violation has occurred that does not involve the employee's employment, may utilize this grievance procedure to secure review of a complaint. Likewise, any individual or organization may utilize this grievance procedure to secure a review of a claim, cause, or concern arising under the ADA.

The district's ADA compliance officer shall provide, upon request, a grievance form. The form shall include the individual's name and address, an explanation of the grievance, and reference to facts, documents, witnesses, or other proof of support for the claim. (See DAA-E3.)

Additionally, each individual filing a grievance shall state the relief requested and any recommendation for addressing, correcting, or otherwise adjusting the source of the perceived problem, concern, or complaint.

The ADA compliance officer will immediately review the grievance. The compliance officer will determine whether the grievant has supplied the information necessary to permit reasonable investigation of the claim or charge. If an insufficient statement of the grievance is submitted or if additional information is desirable, the compliance officer will inform the grievant. The grievant will have ten (10) calendar days to supply the necessary information. In the absence of supplemental information, the compliance officer will proceed with investigation of the claim.

The compliance officer or designee will investigate the grievance. The investigation shall consist of a review of documents, interviews with appropriate individuals, and other action consistent with the nature and scope of the grievance.

The investigation must be completed within thirty (30) days of submission of the grievance. In the event the grievant submits additional information pursuant to the request of the compliance officer, the report shall be due within thirty (30) days of the submission of additional information. The compliance officer's report shall state the grievance, the scope of the investigation, findings related to the grievance, and a recommended disposition. A copy of the grievance decision shall be furnished to the grievant and to the superintendent.

The grievant shall have ten (10) calendar days from receipt of the compliance officer's report to file with the superintendent an appeal of the findings or recommendations made. The superintendent shall schedule a meeting to consider the report and recommendation of the compliance officer and the objections of the grievant. Following this meeting, the superintendent may request additional investigation by the compliance officer, adopt the recommendation of the compliance officer, enter the superintendent's own findings, adopt the relief request of the grievant, or take other action deemed necessary to achieve a reasonable resolution of the grievance.

The decision of the superintendent shall be final. The superintendent's decision shall be rendered within fifteen (15) calendar days from any meeting scheduled to discuss and consider the grievance.