

## ADA GRIEVANCE PROCEDURES

The following grievance procedures are established to, and shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards and to assure that the District complies with the American's with Disabilities Act.

A complaint alleging a violation of the American's with disabilities Act is to be filed in writing, contain the name and address of the person filing, and briefly describe the allege violation of the regulations. The complaint should be addressed to:

**Shawn Brown**  
**Student Services Director**  
**ADA/504 Compliance Coordinator**  
**302 N. Church St.**  
**Montesano, WA 98563**  
**sbrown@monteschools.org**

Students, and/or parents/guardians, staff or other individuals acting on behalf of students of the district are eligible to participate in this complaint procedure. This complaint procedure is designed to assure that the resolution of real or alleged violations are directed toward a just solution that is satisfactory to the complainant, the administration and the board of directors. This grievance procedure will apply to the general conditions of the nondiscrimination policy (Policy No. 3210) and more particularly to policies dealing with guidance and counseling (Policy No. 2140), co-curricular program (Policy No. 2150), service animals in schools (Policy No. 2030) and curriculum development and instructional materials (Policy No. 2020). As used in this procedure:

- A. **“Grievance”** will mean a complaint which has been filed by a complainant (a student, an employee, a parent or guardian) relating to alleged violations of any state or federal anti-discrimination laws; and
- B. **“Complaint”** will mean a charge alleging specific acts, conditions or circumstances, which are in violation of the anti-discrimination laws. A respondent will mean the person alleged to be responsible or who may be responsible for the violation alleged in the complaint.

The primary purpose of this procedure is to secure an equitable solution to a justifiable complaint. To this end, specific steps will be taken.

### **Process for Resolution**

Anyone with an allegation of discrimination may request an informal meeting with the compliance officer or designated employee to resolve their concerns. Such a meeting will be at the option of the complainant. If unable to resolve the issue at this meeting, the complainant may submit a written complaint to the compliance officer.

#### **A. Level One**

A written complaint must be signed by the complainant and set forth the specific acts, conditions or circumstances alleged to be in violation. Upon receipt of a complaint, the compliance officer shall investigate the allegations set forth within 30 calendar days.

The school district and complainant may agree to resolve the complaint in lieu of an investigation. The officer shall provide the superintendent with a full written report of the complaint and the results of the investigation. The superintendent shall respond in writing to the complainant as expeditiously as possible, but in no event later than 30 calendar days following receipt of the written complaint. The response of the superintendent will include notice of the complainant's right to appeal to the school board, and will identify where and to whom the appeal must be filed.

The superintendent's written response shall state that the district either:

1. Denies the allegations contained in the written complaint received by the district;  
or
2. Shall implement reasonable corrective measures to eliminate any such act, condition, or circumstance within the school district.

Such corrective measures deemed necessary shall be instituted as expeditiously as possible, but in no event later than 30 calendar days following the superintendent's mailing of a written response to the complaining party unless otherwise agreed to by the complainant.

#### **B. Level Two**

If a complainant disagrees with the superintendent's written decision or if the superintendent fails to respond, the complainant may appeal to the district board of directors by filing a written notice of appeal with the secretary of the board by the tenth calendar day following:

1. The date upon which the complainant received the superintendent's response; or
2. The expiration of the 30-calendar day response period stated in Level One, whichever occurs first.

The board shall schedule a hearing to commence by the 20th calendar day following the filing of the written notice of appeal, unless otherwise agreed to by the complainant and the superintendent or for good cause. Both parties shall be allowed to present such witnesses and testimony as the board deems relevant and material. The board will render a written decision by the tenth calendar day following the termination of the hearing and will provide a copy to the complainant, unless otherwise agreed to by the complainant and the superintendent or for just cause. The response of the board will include notice of the complainant's right to appeal to the Superintendent of Public Instruction and will identify where and to whom the appeal must be filed.

#### **C. Level Three**

If a complainant disagrees with the decision of the board of directors in connection with any matter which, if established, would constitute a violation, the complainant may appeal the board's decision to the Superintendent of Public Instruction.

1. A notice of appeal must be received by the Superintendent of Public Instruction on or before the 20th day following the date upon which the complainant received written notice of the board of directors' decision.
2. A notice of appeal must be in writing in the form required by the Superintendent of Public Instruction and must set forth:
  - a. A concise statement of the original complaint and the portions of the board of director's decision which is appealed; and
  - b. The relief requested by the complainant.

**D. Other**

If the complainant remains aggrieved they may seek resolution with federal or state agencies empowered with the authority to resolve such complaint.

**Preservation of Records**

The files containing copies of all correspondence relative to each complaint communicated to the district and the disposition, including any corrective measures instituted by the district, will be retained in the office of the compliance officer for a period of six years.

**Date: 06.11**