

RSU #16 (Mechanic Falls, Minot, Poland)

Policy Code: IHBAL

Adopted: September 2005

Revised: February 2011

Grievance Procedure for Persons with Disabilities

PHILOSOPHY:

It is the philosophy of the RSU #16 School Board that persons with disabilities have a right to raise concerns about whether or not the RSU #16 is meeting its obligations under state and federal law, with regard to persons with disabilities.

POLICY:

The RSU #16 School Board has adopted this grievance procedure to provide a local avenue for persons with disabilities to raise concerns about whether RSU #16 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 American with Disabilities Act (28 CFR § 35.107 (b)).

Questions about this grievance procedure should be directed to the ADA/504 Compliance Coordinator (Director of Special Education, RSU #16, 1146 Maine Street, Poland, ME 04274).

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 building principal where the grievance arose, or with the special education director, who functions as the ADA / 504 Compliance Coordinator. If filed with the ADA / 504 Compliance Coordinator, that person will forward it to the appropriate building principal. No grievance shall be heard if it involves actions that occurred more than 60 days prior to the filing of the grievance.

The building principal, after consultation with 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. The principal's written response shall be forwarded to the grievant and to the ADA/504 Compliance Coordinator.

Step Two

If dissatisfied with the response, the grievant may obtain a review by the Superintendent of the Principal's decision.

The grievant must request that review within 15 working days of receipt of the decision by the principal. The Superintendent, after consultation with the ADA/504 Compliance Coordinator, shall respond in writing to the grievance review request within 15 working

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days.

Extensions of the 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 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 of the RSU #16 School Board of the Superintendent's decision.

The grievant must request that review within 15 working days of the decision by the Superintendent. The RSU #16 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 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 [Director of Special Education, RSU #16, 1146 Maine Street, Poland, ME 04274].

DELEGATION OF AUTHORITY:

The RSU #16 School Board delegates authority to implement this policy to the Superintendent of Schools.

REPORTS:

Records of grievances that are filed will be kept by the ADA / 504 Compliance Coordinator. If records are filed on behalf of students attending school, those records will be subject to the Family Educational Rights and Privacy Act.

SIGNATURE BLOCK:

RSU #16 School Board

Dave Griffiths, Chair

DATE

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Chris Woodford

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