

JORDAN SCHOOL DISTRICT

SECTION 504 GRIEVANCE PROCEDURE

A grievance is defined as any claim filed by a student or parent/legal guardian when there may have been an alleged violation, misinterpretation, or misapplication of Section 504. Any time there is reason to suspect an alleged violation of Section 504 rules and regulations a grievance may be filed at the District level or with the Office of Civil Rights or both.

The District has designed this grievance procedure as a means of reaching a prompt and equitable settlement, at the lowest possible administrative level, of differences and issues relating to possible discrimination against students under Section 504.

The Jordan School District does not discriminate on the basis of race, color, religion, sex, age, national origin, sexual orientation, gender identity, or disability in admission, treatment, or employment in its programs, services, and activities. The following procedures shall be followed in the Jordan School District when a grievance is initiated.

Procedures

Individuals are encouraged to address and resolve Section 504 concerns and alleged violations through the local school administrator in an effort to reach a mutually acceptable and prompt resolution. If initial efforts at the school level do not resolve the concern(s), a grievance may be filed with the District's Section 504 coordinator.

Grievances must be filed within 180 days after the alleged discriminatory act or from the time the person becomes aware of the alleged discriminatory act. In certain cases, the District will consider complaints where more than 180 days have elapsed. To file a grievance:

1. Complete the Section 504 Grievance Form and submit it via post or email to:

Fulvia Franco, Ph.D., NCSP
Jordan School District
7387 S Campus View Drive
West Jordan, Utah 84084
Phone (801) 567-8128
504grievance@Jordandistrict.org

2. The District's Section 504 Coordinator or designee shall confirm the receipt of the Section 504 Grievance Form within seven (7) school days.
3. The Section 504 Coordinator or designee will investigate the grievance to the extent deemed appropriate. This investigation shall be thorough enough for the Section 504 Coordinator or designee to come to a fair determination of the grievance. The investigation shall include an opportunity for all relevant persons and/or their representative(s) to submit evidence relevant to the grievance.
4. The 504 Coordinator or designee shall disseminate investigation findings in writing to the complainant within twenty (20) school days from the date of reply.

5. The Section 504 Coordinator will maintain the confidential files and records submitted and reviewed in connection with the grievance according to the Family Rights and Privacy Act (FERPA).

For grievances filed within the last ten (10) school days of the current school year, or for those filed during summer break:

- The Section 504 Coordinator or designee shall confirm receipt of the grievance within seven (7) business days.
- All efforts will be made to provide findings to the complainant within twenty (20) business days, however;
- In the event that relevant staff are unavailable, an investigation status report will be issued within twenty (20) business days; a findings report will be provided within ten (10) business days of the first contract day when district employees relevant to the investigation are available (on contract).

District Appeals Process

If the complainant wishes to appeal the decision of the Section 504 Coordinator or designee, he/she may submit a signed statement of appeal to the District's Equity and Compliance Administrator within ten (10) business days of the Section 504 Coordinator's or designee's written determination of the grievance. The request must be in writing and state the reasons for disagreement. The Equity and Compliance Administrator will reply in writing to the complainant within twenty (20) business days. The statement of appeal may be sent to the Equity and Compliance Administrator at the following address:

Jordan School District
7387 South Campus View Drive
West Jordan, Utah 84088
Stacy.Evans@Jordandistrict.org

Office for Civil Rights Complaint Process

A formal complaint may be filed with the Office of Civil Rights at any time during the district-level grievance process. An OCR complaint must be filed, in writing, within 180 days after the alleged discriminatory act or from the time the person becomes aware of the alleged discriminatory act. In certain cases, OCR will consider complaints where more than 180 days have elapsed.

Anyone wishing to file a formal complaint with OCR should submit in writing the following information in a letter, or on the Discrimination Complaint Form available from both the OCR website and regional office listed below:

- Name, address, and phone (a daytime telephone number is helpful);
- A general description of the person(s) or class of persons injured by the alleged discriminatory act(s);
- The name and location of the agency that committed the alleged discriminatory act(s), as well as the name of the "injured" person;

- A description of the alleged discriminatory act(s) in sufficient detail to enable OCR to understand what occurred, when it occurred, and the basis of the alleged discrimination (race, sex, color, national origin, age, or disability).
- The form can be found online at:
<https://www2.ed.gov/about/offices/list/ocr/docs/howto.html?src=rt>

Contact information for the regional office of Civil Rights is:

Office for Civil Rights, Region VIII
Cesar E. Chavez Memorial Building
1244 Speer Boulevard, Suite 310
Denver, Colorado 80204-3582

Telephone: 303-844-5695

Fax: 303-844-4303

Email: OCR.Denver@ed.gov

<https://www2.ed.gov/about/offices/list/ocr/docs/howto.html?src=rt>