



ROCHESTER
COMMUNITY SCHOOLS

PRIDE IN EXCELLENCE

**Section 504 Manual
for Identifying and Serving Eligible
Students: Policies, Guidelines & Forms**

December, 2022

Table of Contents

Introduction	1
Section 504 Building Coordinators	2
Eligibility of Students under Section 504	3
Section 504 Overview	4
Child Find	4
Parent/Guardian Rights under Section 504	4
Section 504 Process	4
Manifestation Determination Review	8
Impartial Due Process Hearing	9
Review Request	10
Complaints/Grievances	10
Definitions/Glossary	11
Resources	13
Appendices	14

Introduction

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against students on the basis of their disability. It focuses on program accessibility at the preschool, elementary, and secondary education levels. Rochester Community Schools (the district) recognizes its obligation to identify, evaluate and provide a free appropriate public education (FAPE) for each qualified student with a disability within its jurisdiction and to ensure students are not denied access to educational facilities, programs, or opportunities on the basis of their disability.

The purpose of this manual is to provide information about Section 504 and the procedures developed by the district to comply with the requirements of Section 504. This manual reflects our district's commitment to address the educational needs for all children.

The district expects employees to be knowledgeable about the district procedures concerning Section 504, with a particular emphasis on parent and student rights. The Rochester Community Schools District Coordinator is listed below.

Concetta Lewis
Section 504 District Coordinator
Rochester Community Schools
52585 Dequindre Rd.
Rochester, MI 48307
248-726-3759

If you need additional information regarding Section 504 evaluation or would like to request an evaluation for your child, please contact your Section 504 Building Coordinator (see list of Section 504 Building Coordinators on next page).

Section 504 Building Coordinators

2022/2023 School Year

<u>Elementary School:</u>	<u>Contact:</u>	<u>Phone Number</u>
Baldwin	Marco Marando	248-726-3200
Brewster	Kelly Dessy	248-726-3300
Brooklands	Sara Crowley	248-726-3400
Delta Kelly	Kirstin Patrona	248-726-3500
Hamlin	Mandy Lyons	248-726-3600
Hampton	Ryan Starr	248-726-3700
Hugger	Marnie Barker	248-726-3800
Long Meadow	Casey Westcott	248-726-3900
McGregor	Dave Pontzious	248-726-4000
Meadow Brook	Seth Berg	248-726-4100
Musson	Laura Walsh	248-726-4200
North Hill	Tamara Jones-Jackson	248-726-4300
University Hills	Amy Grande	248-726-4400

Middle School:

Hart	Lisa Dimefski	248-726-4500
Reuther	Natalie James	248-726-4700
Van Hoosen	Megan Maguire	248-726-4900
West	Christine Sisoler	248-726-5000

High School:

Adams	Tracye Schwartz	248-726-5200
Rochester	Aubrey Trimble	248-726-5400
Stoney Creek	Rebecca Riggs	248-726-5700
Virtual Campus/ACE	Samantha Marr	248-726-5900

Eligibility of Students under Section under 504

The principle purpose of Section 504, in the educational context, is to assure that students with disabilities are not denied access to educational facilities, programs, or opportunities on the basis of their disabilities. Under Section 504, an individual with a disability is a person who:

- (1) Has a mental or physical impairment which substantially limits one or more major life activities;
- (2) Has a record of such impairment: or,
- (3) Is regarded as having such impairment.

Section 504 requires that the district offer a free appropriate public education (FAPE) to each eligible student who has a physical or mental impairment that substantially limits a major life activity. Under Section 504, FAPE consists of the provision of regular or special education and related aids and services that are designed to meet the student's individual educational needs as adequately as the needs of non-disabled students, and in accordance with Section 504 requirements pertaining to educational setting, evaluation, placement and procedural safeguards. The FAPE obligation extends to all students described in this paragraph, regardless of the nature or severity of their disability.

Section 504 Overview

Section 504 of the Rehabilitation Act of 1973 is a civil rights law designed to eliminate discrimination on the basis of disability in any program or activity receiving Federal financial assistance. Section 504 guarantees certain rights to individuals with disabilities, including the right to full participation and access to FAPE regardless of the nature or severity of the disability. Specifically, 34 C.F.R. §104 states:

"No otherwise qualified individual with a disability in the United States... shall, solely by reason of her or his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

There are significant differences between the Individuals with Disabilities Education Act (IDEA) and Section 504. Section 504 is designed to *level the playing field* for individuals with disabilities. Its purpose is to ensure that individuals with disabilities have the same access to education that individuals without disabilities have. It does this by eliminating barriers that exclude individuals with disabilities from participating in protected activities and providing those students with the right to a FAPE.

Child Find

The school district will attempt to identify and locate every student residing in the district who may be a student with a disability under Section 504, regardless of whether he or she is currently receiving a public education. The school district will notify those students and their parents/guardians of the rights under Section 504.

The school district may satisfy the Section 504 notification obligation by advertising, posting notices in places likely to be visited by qualified students with disabilities and their parents, including notices in school district publications and on its website, and directly contacting parents of current district students who may be eligible.

A parent/guardian has the right to refuse consent for an evaluation or services or to not respond to the district's requests for consent.

Parent/Guardian Rights under Section 504

Section 504 guarantees certain rights to parents of students with disabilities. The intent of these procedural protections is to keep the parent/guardian fully informed concerning educational decisions about their child, and to inform the parent/guardian of their rights if they disagree with any of these decisions. At age 18, these rights transfer to the student.

A student's parent(s) or guardians(s) will be given a meaningful opportunity to provide input during the evaluation of the student for eligibility under Section 504. A Notice of Procedural Safeguards for Section 504 has been developed for distribution to parents.

Section 504 Process

Step 1: Referral

A parent, teacher, other certified school employee, or the adult-aged student may refer the student if he or she is suspected of being eligible under Section 504. Where a teacher or other certified school employee suspects Section 504 eligibility, a referral **must** be made. Referrals and requests for evaluation should be made to the applicable Section 504 Building Coordinator.

Step 2: Consent

The 504 Building Coordinator, or other district personnel, should obtain consent for a 504 evaluation from the student's parent/guardian, or the student (if 18 years of age) and provide them with a copy of the Notice of Procedural Safeguards - Section 504.

Once the district has received consent to evaluate, the district may begin the evaluation process. If a parent refuses to consent to an initial evaluation, the district may, but is not required to, use due process hearing procedures to seek permission from an administrative law judge to evaluate the student without consent.

Step 3: Evaluation

The district is required to conduct a timely evaluation once a referral is made. The district may only provide Section 504 services to students who are evaluated and found eligible under Section 504. The nature and extent of the information needed to make a Section 504 eligibility decision is determined on a case-by-case basis by a group of persons knowledgeable about the student, the meaning of the evaluation data, and the placement options (i.e. the Section 504 team). The district may, but is not required to, use the same evaluation process used to evaluate students under the IDEA.

Information through the evaluation process must be documented and all significant factors must be considered. The evaluation must draw upon information from a variety of sources and may include:

- School record review
- Observations of the student
- Standardized tests or other assessments by school staff
- Parent/Student/Teacher interviews
- Behavior rating scales or other checklists
- Pertinent medical information
- Information provided by the parent
- Other relevant information

Where formal testing is determined to be necessary, the evaluation procedures must ensure that:

1. Tests and other evaluation materials have been validated for the specific purposes for which they are used and are administered by trained personnel in conformance with the instructions provided by their producer.
2. Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient.
3. Tests are selected and administered to best ensure the test results accurately reflect the student's aptitude or achievement level or whatever other factor the test measures, rather than reflecting the student's impaired sensory, manual, or speaking skills (except when those skills are the facets that the tests purport to measure).

A medical diagnosis of a physical or mental impairment does not, in and of itself, determine Section 504 Eligibility. As mentioned above, Section 504 requires the district to draw upon information from a variety of sources in making its eligibility determination. A medical diagnosis

is only one source of information. Additionally, the district may request, but cannot require a parent to provide or authorize the release of the student's medical information as part of the evaluation process. If medical information is not available or provided, the district must proceed to make its eligibility determination based on the other information it has obtained.

Absent extenuating circumstances, the district's evaluation and the development of a Section 504 Plan, if necessary, should be completed no later than 60 school days following the district's receipt of the parent's consent to evaluate. If an extension of time is required, the parent must be notified in writing of the extension, naming the reason for the extension and the expected date of completion of the process.

Step 4: Eligibility Determination

The eligibility determination must be made by a group of persons knowledgeable about the student, the meaning of evaluation data, and placement options and must be documented in writing. The parent of the student should be given a meaningful opportunity to provide input into identification, evaluation, and placement decisions for his/her child. Therefore, the parent should typically be included in this process.

Step 5: 504 Plan

Where a student is found to be eligible under Section 504, the need for a Section 504 Plan must be determined. The Section 504 Team, which should include the parent, will be responsible for determining the reasonable accommodations, supports, and/or auxiliary aids that are needed to provide the student a FAPE. The 504 Plan should specify how these services will be provided and by whom.

The Section 504 Plan shall be signed by the Section 504 Coordinator/Designee, indicating the district's intent to implement the plan. A copy of the plan, along with the Section 504 Procedural Safeguards, must be provided to the parent.

If a Section 504 Plan is developed for a student, all school personnel with implementation responsibilities should be informed of the existence and particulars of the plan. Failure to implement the plan can result in non-compliance with Section 504.

Step 6: Review of Section 504 Plan

The teacher or other persons(s) designated by Section 504 Team shall monitor the student's progress and the effectiveness of the student's plan. The teacher or other designated person will communicate with the parent at least annually to determine whether the 504 Plan continues to be appropriate or whether any changes are necessary.

Step 7: Re-Evaluation

A re-evaluation should be completed at least once every three years to redetermine eligibility under Section 504 and before any significant change in the student's placement.

The following table provides an overview of Section 504, who it protects, and what rights it provides.

	Section 504
Purpose	A broad civil rights law protecting individuals from discrimination on the basis of disability by any agency, school or institution receiving federal funds and providing persons with disabilities equal access to a free and appropriate public education to the greatest extent possible.
Who is Protected	<ul style="list-style-type: none"> • Have a physical or mental impairment which <i>substantially limits</i> one or more major life activity; • Have a record of such an impairment; or • Are regarded as having an impairment.
Services	Requires schools to eliminate barriers that would prevent the student from participating fully in the programs and services offered in the general curriculum.
Requirements for delivering Services	Requires that reasonable accommodations, support, and/or auxiliary aids be provided to allow a child with a disability to participate to the fullest extent possible in the general curriculum with his or her nondisabled peers.
Funding	Does not provide additional funding.
Evaluation Procedures	Eligibility determinations draw on information from a variety of sources in the area of concern. Eligibility decisions are made by persons knowledgeable about the student, evaluation data, and available educational placement options. Notice of evaluation must be provided to the parent and consent for evaluation is required before completing an evaluation.
Independent Evaluation	Does not provide for independent evaluations at the district's expense or give parents the ability or right to request an independent educational evaluation.
Procedural Safeguard	<p>Requires notice before a "significant change" in placement - requires due process rights if referred for formal evaluation under IDEA, and the team determines not to evaluate.</p> <p>A Manifestation Determination Review (MDR) is required when removing a student from the regular setting for more than 10 days due to a disciplinary action.</p>
Placement Decisions	The student must receive a free and appropriate education with his/her non- disabled peers. Students are served in general education with accommodations. Placement, accommodations, supports, and auxiliary aids are determined by a team of individuals knowledgeable about the child, evaluation data, and the continuum of placements and services available.
Due Process	<p>Requires districts to provide a grievance procedure for parent, and students who disagree with decisions regarding identification, evaluation, placement, implementation of the Section 504 plan, or discipline.</p> <p>A due process hearing is not required before Office of Civil Rights (OCR) involvement or court action unless the student is also covered by IDEA. Compensatory damages are possible.</p>

Manifestation Determination Review

Students who qualify under Section 504 have certain additional protections when subject to disciplinary measures that may result in a suspension or an expulsion that constitutes a significant change in placement. Similar to suspension or expulsion of a student with a disability under the IDEA, it is necessary to conduct a manifestation determination for a Section 504 student when:

- The suspension or expulsion will be for more than 10 consecutive school days, as this constitutes a significant change in the student's placement.
- The student has been subjected to a series of suspensions that total more than 10 school days in a school year and a pattern of exclusion exists. Whether a series of suspensions creates a pattern of exclusion is determined on a case-by-case basis, taking into account the following factors: the length of each suspension, the proximity of the suspensions to one another, the similarity of the behavior that resulted in the removals, and the total amount of time the student is excluded from school.

If either of the situations above applies, then the district is required to conduct a manifestation determination to determine:

- (1) if the student's conduct was caused by or had a direct and substantial relationship with his or her disability: or
- (2) if the conduct was the direct result of a failure to implement the Section 504 plan.

This determination is made by persons knowledgeable about the student, the meaning of the evaluation data, and the placement options. The student's parent/guardian must be invited to participate in the meeting and provided a copy of the Section 504 Notice of Procedural Safeguards. If either of the two standards above is met, the conduct is considered a manifestation of the student's disability.

If the behavior is found to be a manifestation of a disability, no discipline may be imposed and the student must be returned to his or her pre-disciplinary educational placement. The student's Section 504 building Team will be convened to determine whether the student's Section 504 plan should be modified.

If the manifestation determination process determines the student's behavior was *not* related to the student's disability or a failure to implement the student's Section 504 plan, then the student may be disciplined in the same manner as a nondisabled student, consistent with the district's Code of Conduct, Board Policies, and the Revised School Code.

Section 504 allows a student to be disciplined, without going through the manifestation determination review process, where the student is charged with and found to be currently engaging in the illegal use of drugs or alcohol, in violation of Code of Student Conduct.

Impartial Due Process Hearing

Parents, guardians, adult students, and persons in a parental relationship with the student who disagree with the identification, evaluation, placement or provision of a free appropriate public education for a student with a disability have the right to request an impartial due-process hearing. Request for a Section 504 due process hearing must be made to the district's Section 504 Coordinator.

Concetta Lewis
Section 504 District Coordinator
Rochester Community Schools
52585 Dequindre Road
Rochester Hills, MI 48307
248-726-3729

Upon receipt of such a request, the necessary arrangements will be made by the district, including the selection of a hearing officer. A hearing may not be conducted by a person who is an employee of the school district, or by any person having a personal or professional interest which conflicts with his or her objectivity in the hearing.

Any party to a hearing has the right to:

1. Be accompanied and advised by counsel and/or by individuals with special knowledge or training with respect to the problems of children with disabilities;
2. Present evidence and confront, cross-examine, and compel the attendance of witnesses;
3. Prohibit the introduction of any evidence at the hearing that has not been disclosed to that party at least five days before the hearing;
4. Request that the hearing officer bar as evidence any evaluation or recommendation completed but not disclosed to the other party at least five business days prior to the hearing;
5. Obtain a written or electronic verbatim record of the hearing or obtain alternate forms of the verbatim record to be provided in the parent's native language; and
6. Obtain written or electronic findings of fact and decisions.

The school district will adhere to the following timeframes in the event of a request for a due process hearing:

1. A hearing will be scheduled not more than thirty (30) calendar days following receipt of a written request.

2. The Hearing Officer will, not later than thirty (30) calendar days after the completion of the hearing, do both of the following:
 - a. Reach a final decision regarding the matter; and
 - b. Send a written copy of the decision to each party.
3. In the absence of an appeal or written notice of an intent to pursue an appeal, the decision of the Hearing Officer will be implemented by the school district within ten (10) business days of the school district's receipt of the decision.

Review Request

The non-prevailing party may request a review (appeal) of the hearing officer's decision. The process shall be:

1. An appeal shall be in writing, specify the findings and conclusions with which there is a disagreement, and be delivered to the other party within ten (10) business days of receipt of the decision of the hearing officer.
2. Upon receipt of an appeal from the parent, or, where the school district initiates an appeal, the school district will appoint an independent appeals officer to conduct an impartial review.
3. The appeals officer shall receive the entire record of the proceedings below and request short written statements of position from the parents. The appeals officer may, at his/her discretion, conduct the review either with or without oral argument.
4. Upon completion of the review, the appeals officer shall render a written decision, within fifteen (15) days, which decision shall be final.

The procedure, above, is not intended to, nor shall it be interpreted as, denying a parent his/her right to file a complaint with the United States Department of Education or in a court of competent jurisdiction.

Complaints/Grievances

Apart from an Impartial Due Process hearing, as provided above, a person who believes that he/she has been discriminated against by the Rochester Community Schools on the basis of his/her disability may pursue a grievance/complaint through the district's Grievance/Complaint Procedure. The grievance procedure process can be found in the appendices section of this handbook, in the document titled "Grievance Procedure."

Definitions/Glossary

<p>Disability: Physical or mental impairment that substantially limits one or more major life activities.</p>
<p>Evaluation: A determination of Section 504 eligibility, which must be based on a multi-sourced evaluation. The nature and extent of the information needed to make a Section 504 eligibility decision is determined on a case-by-case basis by a group of persons knowledgeable about the student and the meaning of evaluation data.</p>
<p>Free Appropriate Public Education (FAPE): the provision of regular special education and related aids and services that are (i) designed to meet the needs of disabled persons as adequately as the needs of non-disabled persons are met, and (ii) are based upon adherence to procedures that satisfy the requirements of the Section 504 Regulations.</p>
<p>Handicapped Person: A person (i) who has a physical or mental impairment which substantially limits one or more major life activities, (ii) has a record of such an impairment, or (iii) is regardless of having such an impairment. (The word “handicapped” is used in Section 504 and its regulations and is listed here in connection with those documents.)</p>
<p>IDEA: Individuals with Disabilities Education Act</p>
<p>IEP: Individual Education Plan</p>
<p>Individual with a Disability: a person who (1) has a physical or mental impairment which substantially limits one or more of such person’s major life activities, (2) has a record of such an impairment, or (3) is regarded as having such an impairment.</p>
<p>Least Restrictive Environment (LRE): the concept that children with disabilities should be educated to the maximum extent possible with children who are not disabled while meeting all their learning needs and physical requirements. The type of setting is stipulated in a child’s Individual Education Plan (IEP).</p>
<p>Major Life Activities: Functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.</p>
<p>Major Life Activity: Includes, but is not limited to, functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. Major life activities also include standing, lifting, bending, reading, concentrating, thinking and communicating. The term also includes the operation of a major bodily function, including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.</p>
<p>Physical or Mental Impairment: (1) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine, or (2) any mental or psychological disorder such as cognitive impairment, organic brain syndrome, emotional or mental illness and specific learning disabilities.</p>
<p>Procedural Safeguards: A system of parental notice, access to records, and the right to seek enforcement of 504 rights through a local grievance process. Office of Civil Rights complaint, a 504 due process hearing request, including the right to a review of the due process decision.</p>

Re-evaluation: Periodic review of an eligible student's eligibility status and 504 accommodation plan, to occur at least every three years, but preferable on an annual basis.

Referral: A student who, because of a suspected mental or physical impairment, is believed to be in need of accommodations or educational services under Section 504, may be formally referred by a parent, teacher, other certified school educational employee (s), or the adult aged student himself/herself. Where a teacher or other certified school employee suspects Section 504 eligibility, a referral must be made.

Section 504 Plan: Plan of coordinated accommodations and/or services that enable the eligible student to receive FAPE under Section 504. Formerly referred to as an accommodation plan. All school personnel with implementation responsibilities shall be informed of the existence of the plan.

Section 504 Team: Group of persons that includes persons who are knowledgeable about the child, knowledgeable about the evaluation data used, and knowledgeable about placement options, accommodations plan and/or services.

Substantially Limits: a student who has a physical or mental impairment that substantially limits a major life activity is a person with a disability under Section 504. This determination is made on a case-by-case basis.

Except for ordinary eye glasses or contact lenses, the effects of mitigating measures (e.g. medications, prosthetics, hearing aids, etc.) may not be considered when assessing whether a student has an impairment that substantially limits a major life activity. To the extent feasible, only the impact the impairment has on a majority life activity without mitigating measures may be considered when determining whether the disability substantially limits a major life activity.

If a student has an impairment that is episodic or in remission, the school district must consider whether the impairment, when active, would substantially limit a major life activity. If so, then the student meets the definition of a student with a disability.

Resources

Notice of Procedural Safeguards
Grievance Procedure
Complaint Alleging Disability Discrimination Form



Rochester Community Schools Section 504

Notice of Procedural Safeguards

The following is a brief summary description of the rights provided by Section 504 of the Rehabilitation Act of 1973 to students with disabilities, or suspected disabilities. The intent of the law is to keep you fully informed about decisions concerning your child and to inform you of your rights in the event you disagree with any decisions concerning your child. Under Section 504, you have the right to:

1. Have the District advise you of your rights under federal law. The District must provide you with written notice of your rights under Section 504 (this document represents written notice of your rights as required under Section 504). If you need further explanation or clarification of any of the rights described in this notice, please contact the Building 504 Coordinator for the school that you or your student is attending.
2. Receive written notice before the District initiates any actions with respect to Section 504 identification, evaluation, educational program and/or placement of your child.
3. Have the right to agree or disagree to the implementation of the District's proposed evaluation plan for your child or to its proposed Section 504 Plan for your child.
4. Have an evaluation and placement decision for your child based upon information from a variety of sources and which is made by a team of persons knowledgeable about the student, the meaning of evaluation data, and placement options.
5. Have your child receive a free appropriate public education, which includes the right to be educated with non-disabled students to the maximum extent appropriate, if the child is Section 504 eligible.
6. Have your child take part in and receive benefits from the District without discrimination on the basis of disability.
7. Have your child educated in facilities and receive services comparable to those provided to non-disabled students.
8. Examine all relevant records of your child, including those relating to decisions about your child's Section 504 identification, evaluation, educational program, and placement; and obtain copies of those records at a reasonable cost, unless the fee would effectively deny you access to the records.
9. Receive information in your native language and primary mode of communication.
10. Have a periodic re-evaluation of your child to determine if there has been a change in educational need, including an evaluation before any significant change of placement. Generally, a re-evaluation will take place at least every three years.
11. Have your child given an equal opportunity to participate in nonacademic and extracurricular activities offered by the District.
12. Request and participate in an impartial due process hearing if you disagree with any District action with regard to regarding the identification, evaluation, or placement of your child under Section 504. You have the right to participate personally at the hearing and the right to be represented by counsel in that process. You also have the right to appeal an adverse decision to a court of competent jurisdiction. If you wish to request an impartial due process hearing, you must submit a written Request for a Hearing to the Rochester Community Schools District Section 504 Coordinator.
13. If you feel that the District has violated an express term of its Section 504 policies and procedures, you have the right to file a complaint in accordance with the District's grievance procedures. Further details about the District's grievance process are set forth in the District's 504 procedures.
14. If you feel the District has violated Section 504, you also have a right to file a complaint or with the U.S. Department of Education, Office for Civil Rights. The address of the OCR Regional Office that covers Michigan is:

Office for Civil Rights
Cleveland
U.S. Department of Education
1350 Euclid Avenue
Suite 325
Cleveland, Ohio 44115



Rochester Community Schools

Grievance Procedure

The Rochester Community Schools has adopted the following Grievance Procedure for addressing complaints of discrimination under Section 504. A person is not required to use this procedure and may instead file a complaint directly with the Office for Civil Rights, 1350 Euclid Avenue, Suite 325, Cleveland, OH 44115:

Step 1: A person who believes that he/she has been discriminated against by the Rochester Community Schools is encouraged to discuss the matter informally with the building principal, in the case of a student, or the immediate supervisor, in the case of an employee. NOTE: If it is the building principal or the immediate supervisor who is the subject of the complaint, the student or employee may, instead, contact the applicable School District Section 504 Coordinator. The person receiving the complaint shall verbally convey his/her findings to both the person who alleged the violation and the person who is the subject of the complaint within 10 school days.

Step 2: If the informal Step 1 process does not resolve the matter, a written complaint may be submitted to the school's principal or employee's immediate supervisor, if the complaint is made by an employee. A complaint may also be filed directly with the applicable School District Section 504 Coordinator. The complaint shall include 1) the employee's or student's name; 2) the facts of the incident or action complained about; 3) the date of the incident or action giving rise to the complaint; 4) the type of discrimination alleged to have occurred; and 5) the specific relief sought. A Step 2 meeting shall be conducted within 10 school days following the submission of the written complaint. Within the next 10 school days, the principal or immediate supervisor shall issue a written disposition, with copies to be given to both the person who alleged the violation and the person who is the subject of the complaint.

Step 3: If the principal or supervisor's reply does not resolve the matter, a written complaint may be submitted to the applicable School District Section 504 Coordinator within 10 school days of the Step 2 disposition. A meeting shall be conducted at which both parties shall have the right to present witnesses and offer other evidence. Following the meeting, the Section 504 Coordinator shall reply in writing to the complainant and the person who is the subject of the complaint within 10 school days.

Step 4: If the complainant wishes to appeal the decision of the Section 504 Coordinator, he/she may submit a written appeal to the Superintendent of Schools within 10 school days after receipt of the Section 504 Coordinator's reply, by completing the "Complaint Alleging Disability Discrimination" form, which can be found in the appendices section of this handbook. The Superintendent or his designee shall meet with all parties involved and respond to the complaint, in writing, within 10 school days of the date of the appeal. Copies shall be provided to both the complainant and the person who is the subject of the complaint.

Rochester Community Schools hereby provides assurance that it strictly prohibits any form of retaliation against persons who utilize this Grievance Procedure.



Rochester Community Schools

Complaint Alleging Disability Discrimination

Student Name: _____ Date of Birth: _____

School: _____ Grade: _____

Complainant's Name: _____

Relationship to Student: _____

Address: _____

Phone: _____ Email: _____

1. Describe the allegations underlying the claim of disability discrimination. Please be specific and include the specific incident(s), the individuals involved, dates/times/locations, etc. Attach additional pages if needed.

2. Describe your proposed resolution/remedy to alleged problem(s)/violation(s).

Date

Signature of the Complainant

PLEASE SUBMIT THIS FORM TO:
Deputy Superintendent for Curriculum and Instruction
52585 Dequindre Road
Rochester Hills, MI 48307
248-726-3107

A person who believes that he/she has been discriminated against by Rochester Community Schools on the basis of disability may file a complaint through the District's grievance procedure. A complaint may also be filed with the Office for Civil Rights (OCR), U.S. Department of Education, 1350 Euclid Avenue, Suite 325, Cleveland, OH 44115. You may file a complaint with OCR at any time. Filing a complaint with the School District is not a prerequisite to filing with OCR.