

# FLORENCE 1 SCHOOLS

## SECTION 504 GRIEVANCE PROCEDURES

It is the policy of Florence 1 Schools not to discriminate on the basis of disability. Florence 1 Schools has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794). Section 504 of the Rehabilitation Act of 1973 is a Federal civil rights law which prohibits discrimination against persons with disabilities in any program receiving federal funding or financial assistance. Section 504 also prohibits any kind of retaliation against a person who files a 504 grievance.

The District's 504 Coordinator is responsible for coordination of compliance with all aspects of Section 504 and Title II, not just with regard to the identification, evaluation and placement of students with disabilities.

The District's 504 Coordinator is:

Brian Denny, Assistant Superintendent for Exceptional Children

319 South Irby Street

Florence SC 29506

Phone: (843) 673-1161

Email: [bdenny@fsd1.org](mailto:bdenny@fsd1.org)

Parents or guardians of students who have concerns regarding their student's special education needs and who are requesting a due process hearing pursuant to the Individuals with Disabilities Act (IDEA), or who request a due process hearing pursuant to Section 504 with regard to the identification, evaluation and placement of students with disabilities are directed to consult with Mr. Denny.

Any person, including students, parents, guardian, and employees, who believes she or he has been excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives Federal financial assistance on the basis of disability may file a grievance under this procedure. The grievance and the identity of the person filing the grievance and the identity of the person allegedly responsible for the discrimination will not be disclosed except as required by law, District policy, as necessary to fully investigate the complaint, and as authorized by the person filing the grievance or his/her parents/guardians. Florence 1 Schools prohibits any kind of retaliation against a person who files a grievance, participates in the investigation of a grievance, or otherwise asserts rights under Section 504.

### **Procedure:**

- Grievances should be submitted, in writing, to the principal of the student's school within 30 school days of the complained of action. The principal will meet with the student and/or the parents/guardian ("Complainant") and respond in writing within 10 school days of meeting with the student and/or parent/guardian to discuss the concerns. If the

principal or a District administrator is the subject of the grievance, or if the party filing the grievance is not a student or parent, the grievance should be submitted to the 504 Coordinator. If the Section 504 Coordinator is the subject of the grievance, the grievance should be submitted to the District Superintendent.

- If the principal is unable to resolve the concerns to the satisfaction of the Complainant, the Complainant can appeal to the District's 504 Coordinator. A complaint to the Coordinator must be in writing, containing the name and address of the person filing it and must be filed within 10 school days of the principal's written decision. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.
- In the event the Complainant believes that an individual other than the 504 Coordinator should handle the complaint (for example, if the 504 Coordinator is the individual about whom the grievance is made), the Complainant should state this in the complaint, and the Superintendent will designate an alternate staff member to hear the grievance and notify the Complainant.
- The Section 504 Coordinator, or designee, shall conduct an investigation of the complaint. All interested persons shall be provided an opportunity to submit witnesses and evidence relevant to the complaint.
- The Section 504 Coordinator, or designee, will maintain the files and records of Florence 1 Schools relating to such grievances.
- The Section 504 Coordinator, or designee, will issue a written decision on the grievance no later than 30 school days after its filing.
- If the Complainant is not satisfied with the decision of the 504 Coordinator or designee, the Complainant may file an appeal to the Board of Trustees within 15 school days of receiving the Section 504 Coordinator's, or designee's, decision. The Board will consider the request and all correspondence and responses from lower administrative levels at its next regularly scheduled meeting and will advise the Complainant of its decision whether or not to meet with the Complainant to discuss the complaint within 15 school days of its decision.
- Should the Board decide to hear the complaint, the hearing will be informal and non-adversarial and will be scheduled to occur at the Board's next regularly scheduled meeting, unless by mutual agreement, the timeline is extended. The Board will notify the Complainant of its decision in writing in response to the appeal no later than 30 school days after hearing the appeal.
- The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the Office for Civil Rights within the U.S. Department of Education.

Florence 1 Schools will make appropriate arrangements to ensure that persons with disabilities are provided accommodations, if needed, to participate in this grievance process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing taped cassettes of material for the blind, or assuring a barrier-free location for the proceedings. The Section 504 Coordinator will be responsible for such arrangements.