

WCSD



Wallkill Central School District, 19 Main Street, PO Box 310, Wallkill, New York 12589

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SECTION 504/TITLE II GRIEVANCE PROCEDURE

Wallkill Central School District has adopted an internal grievance procedure for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 (Section 504) of Title II of the Americans with Disabilities Act or Title II of (Title II). Both Section 504 and Title II prohibit discrimination on the basis of disability.

Complaints should be addressed to: the Assistant Superintendent for Educational Services, 19 Main Street, Wallkill, New York 12589, (845) 895-7103 who has been designated to coordinate Section 504/Title II compliance efforts.

1. A complaint must be filed in writing, contain the name and address of the person filing it, briefly describe the alleged discriminatory action, and identify the date the action occurred and the name(s) of the person(s) responsible.
2. A complaint must be filed within 180 days after the complainant becomes aware of the alleged discrimination. (Processing of allegations of discriminations which occurred before this grievance procedure was in place will be considered on a case-by-case basis.)
3. Unless the matter can be promptly resolved informally, an investigation will be conducted with respect to all timely filed complaints which raise issues under Section 504 and/or Title II. The investigation shall be conducted by These rules contemplate information but thorough and impartial investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
4. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the Assistant Superintendent for Educational Services and a copy forwarded to the complainant no later than 30 days after its filing, unless extenuating circumstances dictate otherwise.
5. The Section 504/Title II coordinator shall maintain the files and records of the Wallkill Central School District relating to the complaints filed.
6. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within 10 days of the complainant's receipt of the written determination to the superintendent of schools.

7. The right of a person to a prompt and equitable resolution of the complaint filed thereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 or Title II complaint with the responsible federal department or agency, nor will it lead to retaliation against an individual filing a grievance for legitimate reasons. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
8. These rules shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards, and to assure that the Wallkill Central School District complies with Section 504, Title II, and their implementing regulations

SECTION 504/TITLE II APPEAL PROCEDURE

- If not satisfied with the decision, an appeal can be brought through an Impartial Hearing Officer.
- If not satisfied with the decision of the Impartial Hearing Officer, an appeal can be brought to Federal Court or Office for Civil Rights.
- For faculty and others an appeal can be brought to the appropriate state or federal agency such as Equal Employment Opportunity Commission or New York State Department of Human Resources or to State or Federal courts as applicable.