



Section 504 Grievance Procedures

In the event you disagree with the district's actions regarding your child's identification, evaluation or provision of FAPE under Section 504, you are encouraged to discuss the issue with the district's Section 504 Compliance Officer in an effort to resolve the issue.

Informal Resolution

Depending on the nature of the allegations, anytime a complaint, grievance, or due process hearing request is received, the Compliance Officer may offer an informal resolution process. Such a process may include informal mediation, remedial or supportive measures, and/or other dispute resolution alternatives. Participation in the informal resolution process is voluntary and may be opted out of by any party any time.

Due Process Hearing

A parent who disagrees with the identification, evaluation or placement of a student with a disability under Section 504 has the right to request a due process hearing. The Complainant will have the opportunity to have a hearing conducted by an impartial hearing officer (IHO) appointed by the District. Request for a Section 504 due process hearing must be made in writing to the District's Section 504 Compliance Officer.

Upon the receipt of a request for an impartial due process hearing, the following procedures will be followed:

1. The district will appoint an impartial hearing officer (IHO) within 30 days of receiving the complaint. An IHO is an individual not employed by the Board, and does not have personal or professional interest which would conflict with their objectivity in the hearing.
2. The IHO will schedule a hearing which will begin within 45 days of the IHO's appointment. This timeline may be extended by the IHO at the request of either party. Both parties may choose to be represented by an attorney during the due process hearing.
3. The IHO will issue a written decision, including finding of facts, to the parent and district within 30 days of the conclusion of the due process hearing. This timeline may be extended by the IHO with notification given to both parties.
4. Any party aggrieved by the findings and decision of the IHO may appeal the decision to a court of competent jurisdiction within the timelines prescribed by law.

Grievance Procedure

Individuals who believe that he/she, or their child, has been discriminated against by the District have the right to file a complaint and the District conduct an investigation. The District has adopted the following procedure for addressing complaints of discrimination under Section 504 of the Rehabilitation Act of 1973 and/or Title II of the Americans with Disabilities Act of 1990.

1. The Grievant should file a Complaint with the Director of Pupil Services/Coordinator of Special Education within 60 calendar days from the date of the incident or discrimination/harassment. In the event the Complaint alleges discrimination by the Director of Pupil Services/Coordinator of Special Education, Complaints may be made to the Superintendent.
2. Upon receiving the Complaint, the Director of Pupil Services/Coordinator of Special Education will gather information by having the Grievant complete the Discrimination Complaint Form.
3. The Director of Pupil Services/Coordinator of Special Education will conduct an investigation into the Complaint and issue their findings in writing within 30 days of the Complaint being filed. The investigation will be conducted in a confidential manner. Matters, including the identity of both the reporting party and the responding party, are kept confidential to the extent possible.
4. If the Grievant wishes to appeal the decision of the Director of Pupil Services/Coordinator of Special Education's investigation, they may submit a signed, written appeal to the Superintendent within 5 school days.

Office of Civil Rights Complaint

Individuals have the right to file a complaint with the United States Department of Education Office for Civil Rights (OCR) at any time. OCR may be contacted at Cesar E. Chavez Memorial Building, 1244 Speer Boulevard, Suite 310, Denver, CO 80204-3582.

Retaliation is strictly prohibited. This means that district employees or students may not intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by anti-discrimination laws or because an individual has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under these laws.