

Community Relations

Complaints Concerning Staff or Programs: Section 504 Grievance

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

Complaints regarding Section 504 should be addressed to: Executive Director, Special Services, Snohomish School District No. 201, 1601 Avenue D, Snohomish, Washington 98290, (360) 563-7308, who has been designated to coordinate Section 504/Title II compliance efforts.

Most complaints can be resolved by informal discussions between the parent/community member and the staff member. It is imperative that throughout the complaint process all parties act in a civil and respectful manner. Complaints should be warranted and presented in a productive manner that is neither disruptive, intimidating, nor offensive. In instances where the supervising administrator perceives that interactions between parties is inappropriate, offensive, intimidating or disruptive, he/she may require communications and interactions be facilitated directly by him/her or his/her designee until the matter is resolved. Should the matter not be resolved, the principal or supervisor will attempt to resolve the issue through a conference with the parent/community member and the staff member.

The following procedures apply to the processing of a 504 grievance which cannot be resolved in the manner described above:

1. If the problem is not resolved to the parent/community member's satisfaction at the building or department level, the parent/community member is encouraged to file a written complaint with the Executive Director of Special Services using form 4220F.2. The complaint must contain the name and address of the person filing the complaint, describe the alleged discriminatory action, identify the date the action occurred, the name(s) of the person(s) responsible, and suggested solution. The Executive Director will send copies of the complaint to the principal or supervisor, staff member, and Superintendent.
2. The written complaint must be filed within ten (10) days after the complainant becomes aware of the alleged discrimination unless the school district grants an extension for good cause.
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 will be conducted by the Executive Director of Special Services. These rules contemplate informal but thorough and impartial investigations, affording all interested persons and their representative, 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, will be issued by the Executive Director of Special Services and a copy forwarded to the complainant no later than thirty-five (35) school days after its filing unless

otherwise agreed to by the complainant or if exceptional circumstances related to the complaint requires an extension. If an extension is needed, the school district will notify the complainant in writing of the reasons for the extension and anticipated response date;

5. The Section 504/Title II coordinator will maintain the files and records relating to the complaints filed;
6. The complainant can request reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration must be submitted within ten (10) days to the Superintendent or designee unless the school district grants an extension for good cause. The Superintendent will issue a response within (20) twenty school days of receiving the request for reconsideration unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint requires an extension. If an extension is needed, the school district will notify the complainant in writing of the reasons for the extension and anticipated response date;
7. If the parent/community member is not satisfied with the Superintendent's response, he/she may submit a written request for review by the board. The request must be submitted within (5) five school days of receiving the Superintendent's response unless the school district grants an extension for good cause. If the complaint is against a staff member, the staff member may request that the board discuss the issue in an open meeting, or in an executive session in the presence of the staff member. The board will consider the request for review and issue a response within (5) five school days following the board's next regular board meeting. The board may discuss the complaint in an executive session, but any formal actions by the board must take place at an open meeting. If such action may adversely affect the contract status of the staff member, the board shall give written notice to the staff member of his/her rights to a hearing.
8. The right of a person to a prompt and equitable resolution of the complaint filed under this procedure will 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. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
9. These rules are construed to protect the substantive rights of interested persons, to meet appropriate due process standards, and to assure that the Snohomish School District complies with Section 504, Title II, and their implementing regulations.

Cross Reference: Policy 2161 Education of Students with Disabilities
 Policy 2107 Section 504 Compliance

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