

GRIEVANCE PROCEDURES

§504 STUDENT/PARENT/GUARDIAN GRIEVANCE PROCEDURES

If a parent or student believes that he/she has been discriminated against, or if a parent or student disagrees with an evaluation under Section 504 of the Rehabilitation Act of 1973 or disagrees with the decision of the School Building Level Committee (SBLC), the grievance procedure below should be followed:

The purpose of this procedure is to secure, at the most immediate level possible, an equitable solution to a grievance under Section 504. Grievances filed and all communications, both oral and written, shall be confidential unless otherwise agreed by the parties. The grievant shall have a right to inspect all relevant records and shall be provided notice of his/her rights contained in this policy.

A grievance under this Section shall be limited to issues involving a qualifying disability under Section 504, including but not limited to, the identification/misidentification of a qualifying disability under Section 504, placement decisions related to a qualifying disability, intervention decisions related to a qualifying disability, accommodations related to a qualifying disability, or related services decisions regarding a qualifying disability, or school related discrimination occurring to a student.

LEVEL ONE

A grieving party shall have a right to request a conference with the School Building Level Committee (SBLC) Chairperson at the school site. The request shall be in writing and should clearly state the nature of issue(s) giving rise to the grievance. Whenever possible, the School Principal or his/her designee will attend the Level One conference. The parties will endeavor to resolve the issue(s) when possible. Any resolution shall be reduced to writing and signed by all parties. In the event that a resolution is not reached at Level One, the SBLC Chairperson shall state the reason(s) for denial of the grievance in writing to the grieving party. This written statement of denial shall be mailed to the grieving party within five (5) school days of the Level One conference.

LEVEL TWO

If the matter is not resolved at Level One, the grieving party shall have a right to appeal and request a conference with the Superintendent or, in the discretion of the Superintendent, his/her designated representative, who shall ordinarily be the Lafourche Parish School Board 504 Coordinator. The request shall be in writing and shall be submitted within five (5) school days of receipt of denial of the grievance at Level One. As with Level One, the parties will endeavor to resolve the issues. Any resolution shall be reduced to writing and signed by all parties. In the event that resolution is not reached at Level Two, the Superintendent or his/her representative shall state the reason(s) for denial of the grievance in writing to the grieving party. This written statement of denial shall be mailed to the grieving party within five (5) school days of the Level Two conference.

RIGHT TO REQUEST INDEPENDENT HEARING

If any issues remain unresolved following a Level Two conference, the grieving party may request an independent hearing. The request shall be in writing and shall be filed with the Superintendent within five (5) school days of receipt of the decision of the Superintendent or his/her designee. The request shall specifically and clearly state the issue(s) which still remain unresolved. The hearing shall be scheduled within thirty (30) calendar days of receipt of the request.

INDEPENDENT HEARING FORMAT, EVIDENCE, OATHS, DECISION

The hearing shall be conducted informally and shall be conducted before an independent hearing officer who is not an employee of the School Board and who has a background in or is familiar with Section 504 and the rights of the disabled. The Superintendent shall maintain a list of qualified individuals to serve as hearing officers. The hearing officer shall be randomly selected from the list.

The grieving party shall have a right to representation at the hearing. Both the grieving party and the School Board shall have the right to present evidence which shall be limited to the unresolved issue(s) listed by the grieving party. The grieving party shall present his grievance and any evidence in support of the grievance. The School Board shall have the right to respond and present evidence in support of its position. The grieving party shall be permitted a brief rebuttal to any evidence presented by the School Board.

The hearing officer may admit and give probative effect to evidence which possesses probative value commonly accepted by reasonably prudent persons in the conduct of their affairs. The hearing officer shall give effect to the rules of privilege recognized by law. The hearing officer may exclude incompetent, irrelevant, immaterial, and unduly repetitious evidence. Objections to evidentiary offers may be made and shall be noted in the record. Subject to these requirements, when a hearing will be expedited and the interests of the parties will not be prejudiced substantially, any part of the evidence may be received in written form.

The hearing officer shall have the power to administer oaths and affirmations and regulate the course of the hearing.

The hearing shall be recorded, and a copy of the hearing shall be kept by the School Board, along with all documents admitted into evidence, until the matter is finally resolved or adjudicated.

The hearing officer may consider such issues as whether the student is a "qualified student with a disability" under Section 504 and whether the student, if so qualified, is receiving a free appropriate public education (FAPE), which may include whether the student is receiving regular and/or special education and related aids and services designed to meet the individual education needs of the student with a disability as adequately as the needs of students without disabilities.

The hearing officer shall render a decision within five (5) days of the hearing which shall be in writing unless the decision is given orally by the hearing officer at the conclusion of the hearing. If the decision is given orally at the conclusion of the hearing, the Superintendent shall prepare a judgment for signature of the hearing officer in the form and substance of the ruling.

The School Board shall bear the cost associated with the retention of the hearing officer.

ABANDONMENT OF GRIEVANCE

If, at any point of the Grievance Procedure, the grieving party fails to timely appeal an adverse decision, it shall be deemed that the issues have been settled, and the grieving party shall have no further right with respect to said grievance(s).

POST HEARING RIGHTS

If the issue remains unresolved, the grievant may contact the:

Office of Civil Rights, Region VI
U.S. Department of Education
1200 Main Tower Building
Suite 2260-06-5010
Dallas, TX 75202-9998
Phone: 214-767-3959
TTD: 214-767-3639

**LAFOURCHE PARISH SCHOOL BOARD
SECTION 504 LEVEL ONE GRIEVANCE FORM**

LEVEL ONE GRIEVANCE PROCEDURE

A grieving party shall have a right to request a conference with the School Building Level Committee (SBLC) Chairperson at the school site. The request shall be in writing and should clearly state the nature of issues(s) giving rise to the grievance. Whenever possible, the School Principal or his/her designee will attend the Level One conference. The parties will endeavor to resolve the issue(s) when possible. Any resolution shall be reduced to writing and signed by all parties. In the event that a resolution is not reached at Level One, the SBLC Chairperson shall state the reason(s) for denial of the grievance in writing to the grieving party. This written statement of denial shall be mailed to the grieving party within five (5) school days of the Level One conference.

Date: _____

Name: _____

Address: _____

Phone: (Home) _____ (Work) _____

Name of Student: _____

Which School does this student attend? _____

Nature of your grievance: (Please describe the reason for your grievance)

Please describe the corrective action you wish to see taken with regard to the grievance:

Signature of Grievant: _____ Date: _____

Teacher/School Personnel: _____ Date: _____

**LAFOURCHE PARISH SCHOOL BOARD
SECTION 504 LEVEL TWO GRIEVANCE FORM**

LEVEL TWO GRIEVANCE PROCEDURE

If the matter is not resolved at Level One, the grieving party shall have a right to appeal and request a conference with the Superintendent or, in the discretion of the Superintendent, his/her designated representative, who shall ordinarily be the Lafourche Parish School Board 504 Coordinator. The request shall be in writing and shall be submitted within five (5) school days of receipt of denial of the grievance at Level One. As with Level One, the parties will endeavor to resolve the issues. Any resolution shall be reduced to writing and signed by all parties. In the event that resolution is not reached at Level Two, the Superintendent or his/her representative shall state the reason(s) for denial of the grievance in writing to the grieving party. This written statement of denial shall be mailed to the grieving party within five (5) school days of the Level Two conference.

Date: _____

Name: _____

Address: _____

Phone: (Home) _____ (Work) _____

Name of Student: _____

Which School does this student attend? _____

Nature of your grievance: (Please describe the reason for your grievance)

Please describe the corrective action you wish to see taken with regard to the grievance:

Signature of Grievant: _____ Date: _____

Teacher/School Personnel: _____ Date: _____