

## LATTA SCHOOL DISTRICT

### SECTION 504/TITLE II GRIEVANCE PROCEDURES

It is the policy of Latta School District not to discriminate on the basis of disability. Latta School District 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) and Title II of the Americans with Disabilities Act. 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. Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §§ 12131 *et seq.* and its implementing regulation at 28 C.F.R. Part 35, prohibit discrimination against qualified individuals with disabilities by public entities, including public education systems and institutions, regardless of whether they receive federal financial assistance. Section 504 and Title II also prohibits any kind of retaliation against a person who files a disability-related grievance.

The District's Section 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 Section 504 Coordinator is:

Kelly Sellers, Director of Exceptional Children  
205 King Street  
Latta, SC 29565  
Phone: 843-752-7101  
Email: [kelly.sellers@lattavikings.com](mailto:kelly.sellers@lattavikings.com)

Any person who believes she or he has been subjected to discrimination on the basis of disability or to retaliation prohibited by Section 504 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. Latta School District 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 or Title II.

#### **Procedure:**

- Grievances should be submitted, in writing, to the principal of the student's school within 10 school days of the complained of action. The principal will meet with the student, the parents/guardian, employee, or other complaining party ("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 is unable to resolve the concerns to the satisfaction of the Complainant, the Complainant can appeal to the District's Section 504 Coordinator. If the principal is the subject of the grievance, the complaint may be filed directly with the Section 504

Coordinator. A complaint to the Section 504 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 or other deciding party'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 Section 504 Coordinator should handle the complaint (for example, if the Section 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 Latta School District 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 and/or the party/parties against whom the grievance was filed (i.e., "Respondent"), if applicable, is not satisfied with the decision of the Section 504 Coordinator or designee, the Complainant and/or the Respondent 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 and/or the Respondent of its decision whether or not to meet with the Complainant and/or the Respondent 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 and/or the Respondent 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.

Washington DC (Metro)  
Office for Civil Rights  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202  
Telephone: 202-453-6020  
TDD: 800-877-8339

OCR.DC@ed.gov

Latta School District 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.