Picayune School District

IDDHBA – Student Grievances – Section 504

Section 504 of the Rehabilitation Act and the Americans with Disabilities Act prohibit discrimination against persons with a disability. No discrimination against any student with a disability will knowingly be permitted in any programs and/or activities of the Picayune School District. The Picayune School District shall publish its policy of non-discrimination on the basis of a disability and shall inform parents/guardians of their rights under Section 504 and the ADA, including the right to examine records relevant to their child, the right to an impartial hearing with representation by counsel, and the Picayune School District's grievance procedure. Procedural safeguards will be provided to parents at 504 Committee meetings or at any time a request is made. The Section 504/ADA Coordinator for the Picayune School District may be contacted by calling the Office of Exceptional Education at 601-798-4555.

If a student claims that he/she has been subjected to discrimination on the basis of his/her disability in violation of Section 504 or ADA, a committee of persons who are knowledgeable about the student shall be convened to review and consider all pertinent available information related to the suspected disability. The committee will meet within thirty-five (35) calendar days after the Picayune School District becomes aware of the student's claim.

The committee will determine (a) whether the student is disabled under Section 504 and (b) whether the student, because of a disability, requires accommodations, modifications, special instruction, or related services. If the student meets both criteria, the committee will determine what is needed to allow the student an equal opportunity to participate in school and school-related activities.

If the parent/guardian disagrees with the committee's decision(s), he/she will be provided the opportunity to discuss the disagreement informally and on a verbal basis with the Picayune School District's Section 504/ADA Coordinator, who shall in turn investigate the complaint and reply to the complainant. If the parent/guardian is unsatisfied with the informal resolution, the

parent may request an impartial hearing to resolve the matter. Hearing requests must be made in writing to the Superintendent within ten (10) working days of the parent/guardian's receipt of the informal resolution. The written request shall describe the alleged discriminatory actions by the Picayune School District and why the Picayune School District's accommodations, modifications, or related services are necessary. The parent/guardian may provide copies of any documents on which the parent/guardian will rely on for support.

An impartial hearing shall be held within thirty-five (35) calendar days of receipt of the written request. The Picayune School District shall obtain as a hearing officer an individual who is not an employee of the Picayune School District and who is knowledgeable about Section 504 and the ADA. The parent/guardian and student may take part in the hearing and have an attorney represent them at their own expense. The Picayune School District also may be represented by counsel.

The hearing officer shall conduct the hearing so as to give the complainant(s) an opportunity to present evidence supporting their claim that their child has been subjected to discrimination in violation of Section 504/ADA. The Picayune School District shall be given the opportunity to present evidence supporting its position with respect to the student. A tape recording of the hearing will be made by the Picayune School District and a copy of the tape recording will be provided to the parent/guardian. The impartial hearing will be conducted in an informal manner with the hearing officer directing the meeting and presentation of evidence.

The hearing officer shall make a decision within thirty-five (35) calendar days after the conclusion of the hearing. The decision shall be given in writing to the Picayune School District's Section 504/ADA Coordinator and the parent.

LEGAL REFERENCE:

- Section 504 of the Rehabilitation Act
- Americans with Disabilities Act (ADA)

CROSS REFERENCE:

- Board Policy GAEB – GRIEVANCES – EMPLOYEES AND VISITORS, SECTION 504, ADA