

**NOTICE OF NON-DISCRIMINATION AND GRIEVANCE PROCEDURE UNDER SECTION 504 OF THE REHABILITATION ACT OF 1973 and TITLE II OF THE AMERICANS WITH DISABILITIES ACT.**

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Riverside Elementary School District (the "District") does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following individuals have been designated to handle inquiries regarding Section 504, Title II of the Americans with Disabilities Act, and/or the nondiscrimination policies:

Dr. Stephen Neal  
Special Education Director/School Psychologist  
1414 South 51<sup>st</sup> Avenue  
Phoenix, Arizona 85043  
(602) 477-8900 ext. 1338  
[sneal@riverside.k12.az.us](mailto:sneal@riverside.k12.az.us)

**GRIEVANCE PROCEDURE**

Any person who believes she or he has been subjected to discrimination on the basis of disability by a student, staff member, or third party may file a grievance under this procedure. Examples of disability discrimination can include, but are not limited to, disability-based harassment; limiting or denying a qualified individual with a disability in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving an aid, benefit or service; treating a student differently on the basis of disability; denying a student with a disability a free and appropriate education; and failing to make modifications of "policies, practices or procedures" when such modification is necessary to accommodate individuals with disabilities.

The District prohibits retaliation against anyone who files a grievance or cooperates in the investigation of a grievance.

**Procedure:**

- Grievances should be submitted to the Section 504/ADA Coordinator within 60 working days of the date the person filing the grievance becomes aware of the alleged discriminatory action.
- A complaint should be in writing, containing the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.

If the Complainant is unable to put the complaint in writing, the District shall provide reasonable accommodations to assist the Complainant with submission of his/her complaint. Although the District encourages individuals to submit complaints in writing, the District will nonetheless provide prompt and equitable response when it becomes aware of possible discrimination.

- The Section 504/ADA Coordinator (or her/his designee) shall conduct an investigation of the complaint. This investigation may be informal, but it must be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint, including the opportunity to present witnesses. The Section 504/ADA Coordinator will maintain the files and records of the District relating to such grievances.
- The Section 504/ADA Coordinator will complete the investigation and issue a written decision on the grievance no later than 30 working days after its filing, unless extenuating circumstances require an extension of the 30 day timeline. In such a case, the Section 504/ADA Coordinator (or her/his designee) will communicate with the Complainant concerning the need for an extension.
- The person filing the grievance may appeal the decision of the Section 504/ADA Coordinator by writing to the Superintendent within 15 working days of receiving the Section 504/ADA Coordinator's decision. The Superintendent, or his/her designee, shall issue a written decision in response to the appeal no later than 30 working days after its filing.
- If it is determined that discrimination occurred, the District shall take the appropriate steps to prevent the recurrence of discrimination and correct the discriminatory effects on the complainant and others.
- The District shall maintain confidentiality as required by the Family Educational Rights and Privacy Act (FERPA) during all times.
- 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 U. S. Department of Education, Office for Civil Rights. The address of the regional office that includes Arizona is:

Office for Civil Rights  
1244 Speer Blvd., Suite 300  
Denver, CO 80204-3582

The District will make appropriate arrangements to ensure that disabled persons are provided other 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, providing a scribe for submission of the complaint, or assuring a barrier-free location for the proceedings. The Section 504/ADA Coordinator will be responsible for making such arrangements.