

## **ADA Grievance Procedure**

The director of human resources is responsible for coordinating the ESD's efforts to comply with the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA). The director or designee handling a complaint under the ADA shall be a neutral party having had no involvement in the complaint presented.

- Step I** Any complaint shall be presented in writing to the Deputy Superintendent within 180 days of the alleged discrimination. It must include the following:
1. Name and address of the individual or the representative filing the complaint;
  2. Description of the alleged discriminatory action in sufficient detail to inform the district of the nature and date of the alleged violation;
  3. Signature by the complainant or by someone authorized to do so on his/her behalf; and
  4. Identification (by name, if possible) of the alleged victims of the discrimination for any complaint filed on behalf of classes or third parties.
- Step II** The Deputy Superintendent or designee shall thoroughly investigate the complaint, notify the person who has been accused of discriminating, permit a response to the allegation, and arrange a meeting to discuss the complaint with all concerned parties within 10 working days after the receipt of the written complaint, if deemed necessary. The director shall give a written answer to the complaint within 15 working days after the receipt of the written complaint.
- Step III** If the complainant is not satisfied with the answer of the Deputy Superintendent, he/she may submit a written appeal to the superintendent or designee, indicating with particularity the nature of the disagreement with the answer and the reason underlying such disagreement. Such appeal must be filed within 10 working days after the receipt of the director's answer. The superintendent or designee shall arrange a meeting with the complainant and other affected parties, if requested by the complainant, at a mutually agreeable time to discuss the appeal. The superintendent or designee shall give a written answer to the complainant's appeal within 10 working days.
- Step IV** If the complainant is not satisfied with the answer, an appeal with the Board may be filed within 10 working days after receipt of the Step III answer. The Board shall, within 20 working days, conduct a hearing at which the complainant shall be given an opportunity to present the complaint. The Board shall give a written answer to the complaint within 10 working days following the completion of the hearing.

Step V If the complainant is not satisfied with the decision of the Board, a complaint may be filed with the Coordination and Review Section, Civil Rights Division, U.S. Department of Justice (student complaints) or the U.S. Department of Labor, Equal Employment Opportunity Commission or Oregon Bureau of Labor and Industries (employment complaints).