

	MURFREESBORO CITY SCHOOL BOARD POLICY		
	Descriptor Term:	Descriptor Number:	Date Adopted:
	AMERICANS WITH DISABILITIES ACT (ADA) GRIEVANCE PROCEDURE	PER 4	10/92
	Revision Adopted:		7/01; 9/01

The following procedure shall be used to provide for prompt and equitable resolution of complaints alleging violation of ADA requirements. This includes complaints from the public, job applicants, and employees. This procedure is to be used by employees for ADA related complaints only. Other employee complaints shall continue to be addressed through PER 4. This procedure does not include complaints made by or on behalf of individual students. Complaints by or on behalf of individual students shall continue to be addressed through the normal due process procedures as set forth by the Tennessee Department of Education, Right to Education Office.

Step 1: Complaints must be submitted in writing to the Human Resources Director who serves as ADA Coordinator for the Murfreesboro City School Board of Education.

The complaint must include but not be limited to:

1. The name, mailing address, and phone number of the complainant,
2. The relationship of the complainant to the school system,
3. A specific statement of the complaint or alleged violation,
4. A description of circumstances surrounding the complaint when applicable (i.e. date(s), location(s), people involved, problems encountered, etc.),
5. A statement of the resolution sought, and
6. The date of the written complaint and the signature of the complainant.

Step 2: A written decision will be rendered by the ADA Coordinator within ten (10) school days from the date the written complaint was received.

Step 3: If the written decision rendered by the ADA Coordinator is not acceptable to the complainant or if the ADA Coordinator fails to render a written decision within ten (10) days after receipt of the complaint, the complainant may within five (5) school days after receipt of the decision or failure to meet the deadline for a decision notify the ADA Coordinator in writing that he/she wants the complaint forwarded to the ADA Rights Committee for the Murfreesboro City School Board of Education. Failure of the complainant to respond to the ADA Coordinator's written decision or lack of written decision within five (5) school days will be viewed as a resolution and the complainant will have waived his/her right to further appeal procedures.

Step 4: Within fifteen (15) school days after receipt of the notification to forward the complaint, the ADA Rights Committee will render a written decision.

Step 5: If the written decision rendered by the ADA Rights Committee is not acceptable to the complainant or if the ADA Rights Committee fails to render a written decision within fifteen (15) school days after the notification for forwarding was received, the complainant may within five (5) school days notify the ADA Coordinator in writing that he/she wants the complaint forwarded to the Director of Schools. Failure of the complainant to respond in writing to the ADA's

Rights Committee's written decision or lack of written decision within five (5) school days shall be viewed as a resolution and the complainant will have waived his/her right to further appeal procedures.

Step 6: Within ten (10) school days after receipt of the notification to forward the complaint, the Director of Schools shall render a written decision.

Step 7: If the written decision of the Director of Schools is not acceptable to the complainant or if the Director of Schools fails to render a written decision within ten (10) school days after the notification for forwarding was received, the complainant may within five (5) school days notify the ADA Coordinator in writing a desire to have the complaint forwarded to the Murfreesboro City School Board of Education. Failure of the complainant to respond to the Director of Schools' written decision or lack of decision within five (5) school days shall be viewed as a resolution and the complainant will have waived right to further appeal procedures.

Step 8: Within twenty (20) school days after receipt of the notification to forward the complaint, the Board of Education shall render a written decision.

Documentation at each step of grievance shall be maintained and forwarded in full to the next level of appeal when applicable. All records related to the grievance shall be maintained by the ADA Coordinator for a minimum of three (3) calendar years after the date of the initial written complaint.

When made aware by the individual(s) of a desire to file a complaint, it is the responsibility of the ADA Coordinator to provide the complainant or potential complainant with a copy of this grievance procedure. If requested by the individual(s) complaining, it is also the responsibility of the ADA Coordinator to assist the complainant in being provided with alternative methods of communication, interpretation, and/or volunteer advocate representation enabling the complainant to exercise his/her rights to utilize this grievance procedure.

The ADA Rights Committee shall be comprised of the Human Resources Director, the Special Education Supervisor, and one other person selected by the first two.

Step 8 is the last administrative appeal available. The decision of the Board of Education is final. However, the grievance procedure is neither a prerequisite for nor a replacement of individual(s) rights to pursue other remedies.