

Multnomah Education Service District

Code: **ACA-AR(2)**
Adopted: 10/24/94
Revised/Reviewed: 9/20/05; 7/01/10; 8/01/13

ADA Grievance Procedure

The compliance officer is responsible for coordinating MESD's efforts to comply with the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA). The compliance officer will be a neutral party having had no involvement in the complaint presented.

Step I Any complaint will be presented in writing to the compliance officer within 180 days from date of 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 MESD 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;
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 compliance officer will 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 ten (10) working days after receipt of the written complaint, if deemed necessary. The compliance officer will give a written answer to the complaint within fifteen (15) working days after receipt of the written complaint.

Step III If the complainant is not satisfied with the answer of the compliance officer, he/she may submit a written appeal to the Superintendent or designee specifying the nature of disagreement with the answer and reason underlying the disagreement. An appeal must be filed within ten (10) working days after receipt of the compliance officer's answer. The Superintendent or designee will 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 will give a written answer to the complainant's appeal within ten (10) working days of receipt of the appeal.

Step IV If the complainant is not satisfied with the answer, an appeal with the Board may be filed within ten (10) working days after receipt of the Step III answer. The Board will, within twenty (20) working days, conduct a hearing at which the complainant will be given an opportunity to present the complaint. The Board will give a written answer to the complaint within ten (10) working days following 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).

Individuals may initiate complaint procedures and/or civil actions with or without first complying with local complaint procedures.