

## PERSONNEL

**Grievance Procedure – Americans with Disabilities R 5-3.1**

A grievance action shall be defined as a misinterpretation or misapplication of any employment, educational, or other school district program as they apply to discrimination based on disabilities under the Americans with Disabilities Act.

Employee

An employee with a grievance in employment arising from a dispute concerning the meaning, interpretation, or application of the Americans with Disabilities Act shall use the following steps for investigating discrimination in the Lynchburg City Schools:

Step 1

It is the policy of the Lynchburg City School Division to comply fully with the requirements of the Americans with Disabilities Act applicable to local governments and that no qualified individual with a disability as defined in the Americans with Disabilities Act shall, on the basis of such disability, be excluded from participation in or be denied the benefits of the services, programs and activities of the Lynchburg City School Division or be subjected to discrimination by the Lynchburg City School Division.

Step 2

This procedure is adopted pursuant to the requirements of 28 C. F. R. Section 35.107 (b), and is intended to provide for prompt and equitable resolution of complaints alleging any action by the Lynchburg City School Division that is prohibited by the Americans with Disabilities Act.

Step 3

Persons who wish to complain of a perceived violation of any provision of the Americans with Disabilities Act are encouraged to contact the Americans with Disabilities Coordinator. The Americans with Disabilities Coordinator shall promptly investigate the complaint and attempt to resolve it to the satisfaction of the complainant if determined to be well-founded.

Step 4

If the ADA Coordinator is not able to resolve a complaint to the satisfaction of the complainant, the complainant may submit to the Superintendent of Schools a signed, written complaint containing the complainant's name and address and a description of the alleged discriminatory action in sufficient detail to describe the date and nature of the alleged violation.

Step 5

## PERSONNEL

Grievance Procedure – Americans with Disabilities (continued)

The Superintendent of Schools or his designee shall promptly investigate any written complaint, and, if unable to resolve the complaint to the complainant's satisfaction, shall schedule a meeting with the complainant within fifteen (15) days of receiving the complaint, at which meeting the complainant shall be afforded the opportunity to present evidence as to the nature of the complaint. A record of such meeting shall be maintained and the Superintendent of Schools or his designee shall provide the complainant with a written response to the complaint within seven (7) days of the meeting. This response shall be final, but shall not impair the complainant's right to pursue other remedies, state or Federal.

NOTE: The Americans with Disabilities Coordinator has been designated as the Director for Personnel Services.

Approved by School Board: August 4, 1992