

## **Students**

### **Nondiscrimination**

#### **Americans with Disabilities Act**

The Milford Board of Education recognizes its responsibility to comply with the letter and spirit of federal and state statutes regarding people with disabilities, including the Americans with Disabilities Act.

The Board directs the Superintendent to develop administrative regulations in order to implement appropriate ADA provisions for students, employees and others who may be affected by this Act.

(c.f. 4118.12/4218.12 Disabilities)

Legal Reference: Connecticut General Statutes

19-581 through 585 AIDS testing and medical information.

10-209 Records not to be public.

46a-60 Discriminatory employment practices prohibited.

Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706(7)(b).

American Disability Act of 1989.

*Chalk v. The United States District Court of Central California.*

Policy adopted: June 14, 1994

MILFORD PUBLIC SCHOOLS  
Milford, Connecticut

## **Students**

### **Nondiscrimination**

#### **Grievance Procedures Under Americans with Disabilities Act**

### **Employees**

"Complaint" shall mean a claim based upon an event or condition which affects the education of a qualified employee with a disability, as defined by the Americans with Disabilities Act.

The aggrieved employee shall present the complaint in writing directly to his or her supervisor within 15 school days of the employee's knowledge of the event or condition affecting the employee. The employee should discuss the issue in an effort to resolve the problem informally within three school days from presentation of the complaint. The principal shall present a response to the employee within 30 school days from the receipt of the complaint. Such response to the problem shall be in writing and be presented to the employee. If no response is given the employee within 30 days referred to above, or if the response is unsatisfactory to the employee, the complaint will become a grievance.

Within 5 school days from receipt of the principal's written response, the aggrieved employee must submit the complaint and response to the appropriate ADA coordinator as listed below, as a formal grievant packet.

Employment	Director of Educational Services
Facilities Accessibility	Assistant Superintendent for Management Services
Program Accessibility	Director of Pupil Personnel Services

Any grievance packet forwarded to the incorrect coordinator will be forwarded to the appropriate coordinator by the individual receiving the packet, the coordinator shall note the date of receipt of the grievance packet and begin investigation of the grievance and preparation of a written decision.

The coordinator may review any written materials or records and may interview any person who the coordinator feels may be helpful in resolving the grievance.

The coordinator must return the grievance packet along with the coordinator's written decision to the aggrieved employee within 30 working days after receipt of the grievance statement. If due to circumstances beyond the power and control of the employer and the coordinator shall immediately notify the employee of the same and shall have a additional 30 working days to complete the written response, or notify the employee that a decision cannot be reached.

If the aggrieved employee is not satisfied with the decision of the coordinator or is notified that no decision could be reached, the aggrieved employee may appeal with 10 working days of receipt of the decision by referring the grievance packet to the Superintendent of Schools.

**5145.4(b)**

## **Students**

### **Nondiscrimination**

#### **Grievance Procedures Under Americans with Disabilities Act (continued)**

The Superintendent of Schools may review written materials or records and may interview any person which he or she feels may be helpful in resolving the grievance. The Superintendent of Schools must return the grievance packet along with his or her written decision to the aggrieved employee within 20 working days after receipt of the grievance statement.

If the aggrieved employee is not satisfied with the decision of the Superintendent of Schools, the employee may appeal the 10 working days of receipt of the decision by referring the grievance packet to the Board of Education, who shall refer it to the appropriate Board of Education committee. The committee shall conduct a hearing on behalf of the aggrieved employee within 20 working days after receipt of the appeal. The committee chair shall notify the aggrieved employee in writing of the Board's decision, which shall be final.

### **General Public**

"Complaint" shall mean a claim based upon an event or condition which affects the education of a qualified member of the public with a disability, as defined by the Americans with Disabilities Act.

The aggrieved employee shall present the complaint in writing directly to the building principal within 15 school days of the individual's knowledge of the event or condition affecting him/her. The individual should discuss the issue in an effort to resolve the problem informally within three school days from presentation of the complaint. The principal shall present a response to the individual within 30 school days from the receipt of the complaint. Such response to the problem shall be in writing and be presented to the individual. If no response is given the individual within 30 days referred to above, or if the response is unsatisfactory to the individual, the complaint will become a grievance.

Within 5 school days from receipt of the principal's written response, the aggrieved employee must submit the complaint and response to the appropriate ADA coordinator as listed below, as a formal grievant packet.

Employment	Director of Educational Services
Facilities Accessibility	Assistant Superintendent for Management Services
Program Accessibility	Director of Pupil Personnel Services

Any grievance packet forwarded to the incorrect coordinator will be forwarded to the appropriate coordinator by the individual receiving the packet, the coordinator shall note the date of receipt of the grievance packet and begin investigation of the grievance and preparation of a written decision.

The coordinator may review any written materials or records and may interview any person who the coordinator feels may be helpful in resolving the grievance.

**5145.4(c)**

## **Students**

### **Nondiscrimination**

#### **Grievance Procedures Under Americans with Disabilities Act (continued)**

The coordinator must return the grievance packet along with the coordinator's written decision to the aggrieved individual within 30 working days after receipt of the grievance statement. If due to circumstances beyond the power and control of the employer and the coordinator shall immediately notify the employee of the same and shall have a additional 30 working days to complete the written response, or notify the individual that a decision cannot be reached.

If the aggrieved individual is not satisfied with the decision of the coordinator or is notified that no decision could be reached, the aggrieved individual may appeal with 10 working days of receipt of the decision by referring the grievance packet to the Superintendent of Schools.

The Superintendent of Schools may review written materials or records and may interview any person which he or she feels may be helpful in resolving the grievance. The Superintendent of Schools must return the grievance packet along with his or her written decision to the aggrieved individual within 20 working days after receipt of the grievance statement.

If the aggrieved individual is not satisfied with the decision of the Superintendent of Schools, the employee may appeal the 10 working days of receipt of the decision by referring the grievance packet to the Board of Education, who shall refer it to the appropriate Board of Education committee. The committee shall conduct a hearing on behalf of the aggrieved individual within 20 working days after receipt of the appeal. The committee chair shall notify the aggrieved individual in writing of the Board's decision, which shall be final.

## **Students**

"Complaint" shall mean a claim based upon an event or condition which affects the education of a qualified student with a disability, as defined by the Americans with Disabilities Act.

The aggrieved student shall present the complaint in writing directly to the building principal within 15 school days of the student/parent/guardian knowledge of the event or condition affecting him/her. The student/parent/guardian should discuss the issue in an effort to resolve the problem informally within three school days from presentation of the complaint. The principal shall present a response to the student/parent/guardian within 30 school days from the receipt of the complaint. Such response to the problem shall be in writing and be presented to the student/parent/guardian. If no response is given the individual within 30 days referred to above, or if the response is unsatisfactory to the student, the complaint will become a grievance.

## Students

### Nondiscrimination

#### Grievance Procedures Under Americans with Disabilities Act (continued)

Within 5 school days from receipt of the principal's written response, the aggrieved student/parent/guardian must submit the complaint and response to the appropriate ADA coordinator as listed below, as a formal grievant packet.

Employment	Director of Educational Services
Facilities Accessibility	Assistant Superintendent for Management Services
Program Accessibility	Director of Pupil Personnel Services

Any grievance packet forwarded to the incorrect coordinator will be forwarded to the appropriate coordinator by the individual receiving the packet, the coordinator shall note the date of receipt of the grievance packet and begin investigation of the grievance and preparation of a written decision. The coordinator may review any written materials or records and may interview any person who the coordinator feels may be helpful in resolving the grievance.

The coordinator must return the grievance packet along with the coordinator's written decision to the aggrieved student/parent/guardian within 30 working days after receipt of the grievance statement. If due to circumstances beyond the power and control of the employer and the coordinator shall immediately notify the student/parent/guardian of the same and shall have a additional 30 working days to complete the written response, or notify the student/parent/guardian that a decision cannot be reached.

If the aggrieved student/parent/guardian is not satisfied with the decision of the coordinator or is notified that no decision could be reached, the aggrieved student/parent/guardian may appeal with 10 working days of receipt of the decision by referring the grievance packet to the Superintendent of Schools.

The Superintendent of Schools may review written materials or records and may interview any person which he or she feels may be helpful in resolving the grievance. The Superintendent of Schools must return the grievance packet along with his or her written decision to the aggrieved student/parent/guardian within 20 working days after receipt of the grievance statement.

## Students

### Nondiscrimination

#### Grievance Procedures Under Americans with Disabilities Act (continued)

If the aggrieved student/parent/guardian is not satisfied with the decision of the Superintendent of Schools, the student/parent/guardian may appeal the 10 working days of receipt of the decision by referring the grievance packet to the Board of Education, who shall refer it to the appropriate Board of Education committee. The committee shall conduct a hearing on behalf of the aggrieved individual within 20 working days after receipt of the appeal. The committee chair shall notify the aggrieved student/parent/guardian in writing of the Board's decision, which shall be final.

(c.f. 4118.142/4218.142 Disabilities)

Legal Reference: Connecticut General Statutes

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