

Section 504 / Americans with Disabilities Grievance Plan

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act prohibit discrimination against students with a disability. No discrimination against any student with a disability will knowingly be permitted in any of the programs or activities of Albemarle County Public Schools. To ensure the division's compliance with Section 504 and the ADA, the following grievance procedures have been adopted.

1. If a student claims that he or she has been subjected to discrimination on the basis of disability, in violation of Section 504 or the ADA, or if the division has reason to believe that a student has a disability requiring special services (and the student is not eligible for services under the Individuals with Disabilities Education Act), the child's school principal or administrative designee shall review and consider pertinent information related to the suspected disability. Information such as grades, classroom documentation, comprehensive assessment data and other relevant information should be considered. This review, resulting in a written summary to include conclusions and recommendations, will take place within ten (10) calendar days after the division receives a written statement describing the specific discriminatory conduct.
2. If the student's parents disagree with the school's conclusion and recommendation, the parents shall be informed of their right to ask for an impartial hearing to decide the matter. Hearing requests shall be made in writing to the Division Level Section 504 Coordinator within ninety (90) days of the alleged discriminatory act giving rise to the hearing. The request will give specific reasons describing discriminatory actions by the division and why the division's conclusions and recommendations are not appropriate. The hearing request shall include a list of accommodations requested by the parents and an explanation of why such accommodations are appropriate, along with copies of any documents upon which the parents rely for support.
3. An impartial hearing shall be held according to the Section 504 / ADA Impartial Hearing Procedures found in this manual on Page 19.
4. The division shall publish its policy of non-discrimination against persons with disabilities and shall inform parents of their rights under Section 504 and the ADA, including their right to examine records relevant to their child, the right to an impartial hearing with representation by counsel.
5. Procedural safeguards will be provided to parents of a student qualified for Section 504 services any time the school system takes action with regard to identification, evaluation or educational placement of a student with a disability.
6. The name and telephone number of the School and Division Section 504 Coordinator will be posted in each school. Parents should contact the School Section 504 Coordinator regarding any questions related to Section 504 and the ADA.