

# PROCEDURAL SAFEGUARDS FOR STUDENTS WITH DISABILITIES AND THEIR PARENTS OR GUARDIANS

## NON-DISCRIMINATION COMPLIANCE COMPLAINT AND REVIEW PROCESS FOR STUDENTS AND THEIR PARENTS OR GUARDIANS

Section 504 of the Rehabilitation Act of 1973 is a Federal statute that prohibits discrimination on the basis of disability.

The purpose of this Complaint and Review Process is to provide a structure for bringing about resolution and reconciliation when disagreements arise between a school family and the school arising out of a student's physical or mental impairment or disability.

Everyone involved in the Complaint and Review Process is to be free from restraint, concern, discrimination, or retaliation in any form.

You should use the Complaint and Review Process when issues arise at the school relating to your child's disability that have a significant impact on your child and you have been unable to reach a resolution with your child's teachers or other members of the school staff.

### INITIAL COMPLAINT PROCESS

**Step One:** If you have a complaint or disagreement regarding your child's disability, you should first try to resolve your complaint by discussing it promptly with the person(s) involved.

**Step Two:** If you cannot reach a resolution or you are not comfortable with discussing the issue with the person(s) directly involved, you may submit the matter to the Principal of the School, in writing, within fifteen (15) days of the event which is the subject of your complaint. You must also send a copy of your complaint to the Archdiocesan Compliance Officer, who is charged with monitoring such complaints at:

Archdiocesan Compliance Officer  
Department of Catholic Schools  
3424 Wilshire Blvd., Floor 2  
Los Angeles, CA 90010

If you do not submit a written complaint to the Principal of the School within the fifteen (15) day period it will be considered untimely.

**Step Three:** The Principal will conduct an investigation as promptly as possible. The scope and nature of the investigation will depend on the nature of the issue presented. The goal is to achieve a just resolution and reconciliation with everyone concerned. The parties are advised to maintain confidentiality. The Principal will advise you in writing of the outcome of the investigation and his or her decision within twenty (20) days of submission of your written complaint.



## REVIEW LEVEL

### Appeal

If you disagree with the decision of the Principal, you may appeal the decision in writing to the next level for review. The request for review must be submitted within ten (10) days of the Principal's written decision or it will be considered untimely. The request for review must be sent to the Assistant Superintendent at the Department of Catholic Schools assigned to this School. The Assistant Superintendent can be reached at 213-637-7300. The Assistant Superintendent, with the assistance of the Archdiocesan Compliance Officer, will conduct the review of your complaint.

### Setting the Review Hearing

The Assistant Superintendent will set the date, time, and location for the review and will facilitate the review process. Your review may be conducted by a single person or by a representative committee, including the Archdiocesan Compliance Officer, as the case warrants. All persons involved in the complaint may select someone to help in preparation for the review, to attend the hearing, and to provide support during the process. No attorneys are allowed to appear at or participate in the hearing. The hearing will be set within 10 to 15 days after receipt of your request for review, giving consideration to the schedules of all persons involved.

### At the Review Hearing

- 1. Step One:** You explain your complaint, present relevant documentation, and answer questions the reviewer(s) may have.
- 2. Step Two:** The reviewer(s) interview(s) other parties involved in the case, giving each an opportunity to respond to the complaint and present relevant facts and documentation.
- 3. Step Three:** The reviewer(s) will encourage the parties to reconcile their differences and come to a mutual agreement on some or all issues.
- 4. Step Four:** If the complaint cannot be resolved at the review hearing, the reviewer(s) will prepare a final, binding decision, which will be communicated to all parties in writing, within ten (10) days of the hearing.



## **HOW TO REQUEST A MINOR ADJUSTMENT PURSUANT TO SECTION 504 OF THE REHABILITATION ACT OF 1973**

If you feel that your child with a disability needs a minor adjustment to enable him/her to participate in the general education curriculum of the School, please talk to your child's teacher and/or Principal of the School.

Be prepared to submit medical documentation to verify both your child's disability and the nature and extent of the requested minor adjustment.

### **STUDENT NON-DISCRIMINATION POLICY**

The school, mindful of its mission to be a witness to the love of Christ for all, admits students regardless of race, color, or national and/or ethnic origin to all rights, privileges, programs, and activities generally accorded or made available to students at the school.

The school does not discriminate on the basis of race, color, disability, sex, or national and/or ethnic origin in the administration of educational policies and practices, scholarship programs, and athletic and other school-administered programs, although certain athletic leagues and other programs may limit participation.

While the school does not discriminate against students with special needs, a full range of services may not always be available to them. Decisions concerning the admission and continued enrollment of a student in the school are based upon the student's emotional, academic, and physical abilities and the resources available to the school in meeting the student's needs.

Your participation in this Complaint and Review Process does not prevent you from making a complaint to an applicable government agency. See the U.S. Department of Agriculture, Office of Assistant Secretary for Civil Rights: [http://www.ascr.usda.gov/complaint\\_filing.html](http://www.ascr.usda.gov/complaint_filing.html)

*Please note: Be aware that the information in this brochure may change at any time due to amendments in the federal and state laws and regulations.*

