

Due Process Hearing and Complaint of Disability Discrimination

Section 504 due process hearing request is separate and independent from a complaint of disability discrimination under Section 504 in accordance with the Section 504 regulation 34 C.F.R ; 104.7 (b).

Due Process Hearing

Disagreements regarding the identification, evaluation, or placement of a student are resolved through a Section 504 due process hearing. Parents/guardians have the right to be represented by counsel in this process and to appeal an adverse decision. Requests for a Section 504 Due Process Hearing must be made in writing to the District's 504 Coordinator, Dr. Jerry McDowell, Superintendent, 541 East Slocum Street, Whitehall, Michigan, 49461. The request for Section 504 Due Process Hearing must include: (FORMP)

- The Grievant's contact information; name, address, phone, email (if available).
- A description of the alleged Section 504 violation.
- A description of proposed resolution/remedy.
- Signature and date.

Complaint of Disability Discrimination

Disability discrimination grievances are resolved by following the District's Grievance Procedures or by filing a complaint with the US Department of Education, Office for Civil Rights.

- There are two steps within the District's Grievance Procedure to address complaint of discrimination under Section 504. Steps are summarized below:
 1. Discuss the matter informally with the appropriate person.
 2. Submit a written complaint to your child's building principal or assistant principal.
 3. Submit a written complaint to the District's Section 504 Coordinator, Dr. Jerry McDowell, Superintendent, 541 East Slocum Street, Whitehall, Michigan, 49461.
- A person is not required to use the District Grievance Procedure and may instead file a complaint directly with the Office for Civil Rights, US Department of Education, 1350 Euclid Avenue, Suite 325, Cleveland, Ohio, 44115-1812