

RULES AND REGULATIONS IMPLEMENTING EXECUTIVE BOARD POLICY NO. XX

UNIFORM GRIEVANCE

20.1 Filing a Complaint

A person (hereinafter Complainant) who wishes to avail himself or herself of this grievance procedure may do so by filing a complaint in writing on the Formal Grievance Form (Appendix 20-A) with one of the designated N.I.A. Complaint Managers.

The following individuals are N.I.A. Complaint Managers and may be contacted as follows:

Carol Johnson, Supervisor, 245 W Exchange St., Suite 4, Sycamore, IL 60178, (815) 895-9227.

Dr. Wayne Riesen, Superintendent of Sycamore Community Unit School District, 245 W. Exchange St., Suite #4, Sycamore, IL 60178, (815) 899-8100.

If the complaint involves accommodation of disability or discrimination on the basis of disability, the complaint will be referred to the ADA/Section 504 Coordinator who will follow this grievance procedure.

The following individual is the ADA/Section 504 Coordinator and may be contacted as follows:

Carol Johnson, Supervisor, 245 W Exchange St., Suite 4, Sycamore, IL 60178, (815) 895-9227.

The Complainant shall not be required to file a complaint with a particular Complaint Manager if that Complaint Manager is the person against whom the complaint is to be filed. The Complaint Manager may request the Complainant to provide a written statement regarding the nature of the complaint or require a meeting with the parents/guardians of a student. The Complaint Manager may assist the Complainant in filing a complaint under this grievance procedure.

20.2 Investigation

The Complaint Manager will investigate the complaint or appoint a qualified person to undertake the investigation on his/her behalf. The complaint or identity of the Complainant will not be disclosed except (1) as required by law, or (2) as necessary to fully investigate the complaint, or (3) as authorized by the Complainant. The Complaint Manager shall file a written report of his/her investigation findings with the Regional Director. If a complaint of sexual harassment contains allegations involving the Regional Director, then the

complaint may be filed with the Chairman of the Executive Board who shall investigate and issue a decision on the complaint of sexual harassment.

20.3 Decision and Appeal

After receipt of the Complaint Manager's investigation report, the Regional Director shall render a written decision, which shall be provided to the Complainant. In the event the Complainant is not satisfied with the decision, the Complainant may appeal the decision by making a written request to the Complaint Manager for review by the Executive Board. If a member of the Executive Board has served as the Complaint Manager or if the Chairman of the Executive Board has issued a decision regarding a sexual harassment complaint involving the Regional Director, he or she shall recuse himself or herself from the Executive Board's review. The Complaint Manager shall be responsible for forwarding all materials relative to the complaint and appeal to the Executive Board. Thereafter, the Executive Board shall render a written decision, which may affirm, modify or reverse the Regional Director's (or Chairman's) decision. A copy of the Executive Board's decision shall be provided to the Complainant. This grievance procedure shall not be construed to create an independent right to a hearing before the Executive Board.

Appendix 20-A

**NORTHWESTERN ILLINOIS ASSOCIATION
FORMAL GRIEVANCE FORM**

Name of Grievant: _____ Date: _____

Department: _____ Position: _____

Name of Administrator: _____

Statement of
Grievance: _____

Relief Action
Requested: _____

Grievant's Signature

Date Filed

Administrator's Signature

Date Received

**RULES AND REGULATIONS IMPLEMENTING EXECUTIVE BOARD POLICY
NO.XXII**

NON-DISCRIMINATION ON THE BASIS OF DISABILITY

22.1 The Americans With Disabilities Act ("ADA")/Section 504 Coordinator

A. Appointment

The N.I.A. shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under the ADA and Section 504.

B. Duties

The duties of the ADA/Section 504 Coordinator shall include answering questions regarding rights and responsibilities under the ADA and Section 504 and investigating any complaint or grievance alleging noncompliance with the ADA or Section 504.

C. Notification

The N.I.A. shall make available to all interested individuals the name, office address, and telephone number of the employee designated as the ADA/ Section 504 Coordinator.

22.2 Grievance Procedure

The Americans With Disabilities Act ("ADA") and Section 504 require that each program, service, and activity offered by the N.I.A., when viewed in its entirety, be readily accessible to and usable by qualified individuals with disabilities or handicaps.

A "grievance" is any complaint under the ADA/Section 504 by an individual with a disability who:

- A. meets the essential eligibility requirements for participation in or receipt of the benefits of a program, activity or service offered by the N.I.A., and
- B. believes he or she has been excluded from participation in or denied the benefits of any program, service or activity of the N.I.A. or has been subject to discrimination by the N.I.A. on the basis of his or her disability or handicap.

The N.I.A. will endeavor to respond to and resolve grievances without the need to resort to the formal grievance procedure established by the N.I.A.'s Uniform Grievance Procedure (Policy No. XXI). A person who wishes to avail himself or herself of the formal Uniform Grievance Procedure, however, may do so only by filing a written grievance within three hundred sixty-five (365) calendar days of the alleged discrimination.

The ADA/Section 504 Coordinator shall provide a copy of the Uniform Grievance Procedure and the required Grievance Form to anyone who requests it or expresses a desire to file a formal grievance (Appendix 22-A).

Each grievance involves a unique set of factors which include but are not limited to: the specific nature of the disability; the essential eligibility requirements for, the benefits to be derived from, and the nature of the service, program or activity at issue; the effect of the disability on the health and safety of others; and whether or not an accommodation would constitute a fundamental alteration to the program, service or activity or constitute an undue hardship on the N.I.A. Accordingly, termination of a grievance at any level, whether through the granting of relief or otherwise, shall not constitute a precedent on which any other grievant should rely.

22.3 Notification of ADA/Section 504 Policy

Notice of the N.I.A.'s policy on nondiscrimination on the basis of disability shall be included in recruitment materials; applications for employment, services or participation in programs and activities; handbooks, manuals, or pamphlets distributed to the public, employees, or students; and Executive Board meeting policies. Notice shall be further provided by the display of informative posters in public areas of N.I.A.'s office building(s). Such notice shall identify the responsible employee who coordinates the N.I.A.'s efforts under Section 504 and the ADA.

DISCRIMINATION BASED ON DISABILITY

GRIEVANCE FORM

It is the policy of the Executive Board of the N.I.A. to provide assistance in filling out this form. If assistance is needed, please ask:

Carol Johnson, ADA/Section 504 Coordinator
245 W. Exchange St., Suite #4
Sycamore, IL 60178

Name:

Address:

City, State and Zip Code:

Telephone No.:

Program, Service, or Activity to which Access was Denied or in which Alleged Discrimination Occurred:

Date of Alleged Discrimination:

Nature of Alleged Discrimination:

(Attach additional sheets if necessary. If the grievance is based on a denial of requested reasonable modification or accommodation, please fill out the second page of this form.)

PAGE 2

Please fill out this page only if this grievance is based upon the denial of a requested reasonable modification or accommodation. A reasonable modification or accommodation will be made to make programs, services, and activities accessible. Reasonable modifications or accommodations could include such things as providing auxiliary aids and devices or changing some policies, requirements or program locations to allow an individual with a disability to participate. This portion of the form should be filled in to the extent you know the answers. The form may be submitted even if this portion is incomplete.

Reasonable modification or accommodation requested:

The person to whom the request was made:

The reason for denial:

The estimated cost of modification or accommodation (if the requested modification is an assistive device, such as a TDD or optical reader, or commodity or service of which a cost is readily known):

Why is the requested modification or accommodation necessary to use or participate in the program, service, or activity?

Alternative modifications or accommodations which may provide accessibility:

Any other information you believe will aid in a fair resolution of this grievance:

I certify that I am qualified or otherwise eligible to participate in the program, service or activity, and the above statements are true to the best of my knowledge and belief.

The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency or a request for an impartial hearing under Part II of the regulations governing handicapped students. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies and use of this grievance procedure does not extend any filing deadlines related to the pursuit of other remedies.

Signature

Date

Please give to the ADA/Section 504 Coordinator at the address listed above.

For Office Use Only

Date Received: _____

By: _____

