

GRIEVANCE PROCEDURES FOR FILING, PROCESSING, AND RESOLVING ALLEGED DISCRIMINATION COMPLAINTS (STUDENTS AND EMPLOYEES)

I. DEFINITIONS

- A. Discrimination Complaint: A written complaint alleging any policy procedure or practice which discriminates on the basis of race, color, national origin, sex or qualified handicap.
- B. Student Grievant: A student of the school district who submits a complaint alleging discrimination based on race, color, national origin, sex or qualified handicap.
- C. Employee Grievant: An employee of the school district who submits a complaint alleging discrimination based on race, color, national origin, religion, sex, age, qualified handicap or veteran.
- D. Title IX/504 Coordinator: The person(s) designated to coordinate efforts to comply with and carry out responsibilities under Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and other State and Federal laws addressing equal educational opportunity. The Title IX/504 Coordinator is responsible for processing complaints and serves as moderator and recorder during hearings.
- E. Respondent: The person alleged to be responsible for the violation alleged in a complaint. The term may be used to designate persons with responsibility for a particular action or those persons with supervisory responsibility for procedures and policies in those areas covered in the complaint. The respondent can be an employee, student, or third party on campus.
- F. Day: Day means a working day. The calculation of days in complaints processing shall exclude Saturdays, Sundays and holidays.

II. PRE-FILING PROCEDURES

- A. Prior to the filing of a written complaint, the student or employee is encouraged to visit with principal. Reasonable effort should be made to resolve the problem or complaint.

III. FILING AND PROCESSING DISCRIMINATION COMPLAINTS

- A. Grievant submits written complaint to Title IX/504 Coordinator stating name, nature and date of alleged violation, names of persons responsible (where known) and requested action. Complaint must be submitted within 30 days of alleged violation. Complaint forms are available in school office or other designated areas.
- B. Title IX/504 Coordinator notifies respondent within 10 days and asks respondent to confirm or deny facts, indicate acceptance or rejection of student or employee's requested action and outline alternatives.
- C. Respondent submits answer within 10 days to Title IX/504 Coordinator.
- D. Title IX/504 Coordinator within 10 days after receiving respondent's answer, refers the written complaint and respondent's answer to the principal or other designee. The Title IX/504 Coordinator also schedules a hearing with the grievant, the respondent and the principal or other designee.
- E. Hearing is conducted with the principal, grievant, respondent, parent or guardian, and Title IX/504 Coordinator.
- F. The principal issues, within 10 days after the hearing, a written decision to the student or employee, respondent and Title IX/504 Coordinator.
- G. If the grievant or respondent is not satisfied with the decision, they must notify the Title IX/504 Coordinator within 10 days and request a hearing with the Superintendent.
- H. The Title IX/504 Coordinator, schedules within 10 days of request, a hearing with the grievant, respondent and Superintendent.
- I. A hearing is conducted with Superintendent, grievant, respondent and Title IX/504 Coordinator.
- J. Superintendent issues a decision within 10 days following the hearing.
- K. If the grievant or respondent is not satisfied with the decision, they must notify the Title IX/504 Coordinator within 10 days and request a hearing with the School Board.
- L. The Title IX/504 Coordinator notifies the School Board within 10 days receiving request. Title IX/504 Coordinator schedules hearing with the School Board.

Hearing is to be conducted within 30 days from the date of notification to the School

Board.

- M. School Board or a hearing panel, established by the Board, must conduct a hearing with the grievant and Title IX/504 Coordinator.
- N. The School Board issues a final written decision within 10 days after the hearing regarding the validity of the grievance and any action to be taken.

IV. GENERAL PROVISIONS

- A. **Extension of Time:** Any time limits set by those procedures may be extended by mutual consent of parties involved. The total number of days from date that complaint is filed until complaint is resolved shall be no more than 80 days.
- B. **Access to Regulations:** The school district shall provide copies of all regulations prohibiting discrimination on the basis of race, color, national origin, religion, sex, age, qualified handicap or veteran upon request.
- C. **Confidentiality of Records:** Compliant records will remain confidential unless permission is given by the parties involved to release such information. No complaint record shall be entered in the personnel file. Compliant records shall be maintained on file for three (3) years after complaint resolution.

Adopted: 4/7/99
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