

Policy KN: Complaints - Title I

Status: ADOPTED

Original Adopted Date: 07/13/2009

COMPLAINTS

TITLE I, ECIA, TITLE II, TITLE IX, ADA AND SECTION 504 PROCEDURE FOR COMPLAINT RESOLUTION

The Itawamba County School District does not discriminate on the basis of race, color, religion, national origin, sex, age or disability in the provision of educational programs and services or employment opportunities and benefits. Any person who believes that he/she or any class of individuals have been subjected to discrimination, including harassment, on the basis of a disability or handicap as prohibited by Section 504 of the Rehabilitation Act of 1973 (Section 504) or Title II of the Americans With Disabilities Act (Title II); on the basis of sex/gender as prohibited by Title IX of the Education Amendments of 1972 (Title IX); on the basis of race, color or national origin as prohibited by Title VI of the Civil Rights Act of 1964 (Title VI); on the basis of age as prohibited by the Age Discrimination Act of 1975 (ADA) our under Title I, ECIA may file a complaint pursuant to the procedures set forth below, on his/her own behalf, or on behalf of another person or on behalf of handicapped persons as a class. All persons are encouraged to file grievances to resolve any disputes arising under these laws. Your filing a complaint will not subject you to any form of adverse action, reprimand, retaliation or otherwise negative treatment by school district personnel.

1. Within ten (10) work days of when a complainant knew or should have known of discriminatory conduct, a complaint shall be given in writing to the Section 504, Title II, Title IX, Title VI, or ADA Coordinator, as the case may be. The complaint shall describe specifically the time, place and nature of, and the participants in the alleged discriminatory acts. The complaint shall also include any evidence or documentation, including witness statements, regarding the alleged discriminatory conduct. The Section 504, Title II, Title IX, Title VI, ADA Coordinator Title I, ECIA shall, within ten (10) work days of receipt of the complaint, conduct or cause to be conducted a thorough, adequate, reliable and impartial investigation including questioning of all parties involved in the complaint. A written record shall be made of the statements by all parties involved within twenty (20) working days of the receipt of the complaint. After the investigation is complete, the Section 504, Title II, Title IX, Title VI, ADA Coordinator, Title I, ECIA shall meet with the complaining party and give a full report of the findings. This must also be done within twenty (20) working days of the receipt of the complaint.
2. If the grievance or complaint is not satisfactorily resolved at Step 1, the complainant shall have ten (10) work days to appeal the Step 1 findings to the Superintendent. The complainant shall present his complaint in writing, describing the reasons for his/her dissatisfaction with the results of Step 1 and produce any evidence or documentation, including witness statements, regarding the alleged discriminatory conduct. The Superintendent or his/her designee shall review all aspects of the complaint and complete an additional investigation if necessary. The Superintendent shall respond to the complainant in writing within ten (10) work days of receipt of the written appeal.
3. If the complainant is not satisfied with the results of Step 2, the complaining party shall have fifteen (15) work days from receipt of the Superintendent=s decision to appeal the complaint to the school board. The appeal shall be in writing, describing the reasons for complainant=s dissatisfaction with the results of Steps 1 and 2. The complainant shall have the opportunity to present an oral statement to the board before the board makes its decision. The board'Error! Filename not specified.s decision shall be rendered within fifteen (15) work days after receipt of the appeal.

Each complainant shall have the right to be represented by legal counsel at Level 3, at their own expense, and each complainant shall have the right to present witnesses and other reasonable evidence at any Level, and each complainant shall have the right to question and cross-examine witnesses at each level and any parent complaining on behalf of their child shall have the right to examine records relevant to their child.

The Section 504, Title II, Title I, Title IX, Title VI, ADA Coordinator, who may be contacted at 605 South Cummings, Fulton, MS 38843, 662-862-2159.

Cross References

Code	Description
KNBA	Complaints About Instructional Materials
KNBA-E(1)	Complaints About Instructional Materials