

## CIVIL RIGHTS POLICY AND GRIEVANCE PROCEDURES

The District complies with the Civil Rights Laws, including but not limited to, Title IV and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, in assuring the students and employees of the District and all other persons, that the District does not discriminate on the basis of race, color, sex, national origin, disability, religion, or age. The Superintendent is designated by the Board to coordinate the District's efforts to comply with this assurance.

### **Definitions:**

- A. **Compliance Officer:** An employee designated by the Superintendent to coordinate compliance efforts with the Civil Rights Laws and to investigate complaints.
- B. **Complaint:** A written complaint alleging that a policy, procedure, or practice of the District discriminates on the basis of race, color, national origin, sex, religion, age, or disability.
- C. **Day:** Day means a working day; the calculation of days in processing a complaint shall exclude Saturdays, Sundays, and holidays.
- D. **Grievant:** A student or an employee of the district or any other person who submits a complaint alleging discrimination on the basis of race, color, national origin, sex, religion, age, or disability.
- E. **Respondent:** The person alleged to be responsible for the violation alleged in the 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.

**Pre-filing Procedures:** Prior to the filing of a written complaint, the Grievant is encouraged to visit with the Compliance Officer and to make a reasonable effort to informally resolve the problem or complaint.

### **Procedures for Filing Complaint:**

- A. If the Grievant desires to proceed with a Complaint, then, within thirty (30) days of an alleged violation, the Grievant shall submit a Complaint to the Compliance Officer. The complaint shall state the Grievant's name, the nature of the alleged violation, the date of the alleged violation, the names of the persons responsible, and the requested action.
- B. Within ten (10) days of receiving the complaint, the compliance Officer shall notify the Respondent of the Complaint.
- C. Within ten (10) days of notification, the Respondent shall submit to the compliance Officer an answer which shall confirm or deny the facts upon which the allegation is based, indicate acceptance or rejection of the Grievant's requested action, and/or outline alternatives.
- D. Within ten (10) days of receiving the Respondent's answer, the Compliance Officer shall schedule a hearing with the Grievant and the Respondent.
- E. Within ten (10) days of the hearing, the Compliance Officer shall render a written decision and shall provide a copy of the written decision to both the Grievant and the Respondent.
- F. Within ten (10) days of receipt of the Compliance Officer's decision, if either the Grievant or the respondent is not satisfied with the decision of the compliance Officer, either may submit a written request to the Compliance Officer for a hearing before the Board.

- G. Within ten (10) days of receiving a request for a hearing before the Board, the Compliance Officer shall notify the Board of the request and shall schedule a hearing to be conducted by the Board. Such hearing shall be conducted within thirty (30) days of the date on which the Compliance Office receives notification of the request for a Board hearing.
- H. Within ten (10) days of conducting the hearing, the Board shall render a written decision on the complaint; the decision of the Board shall be final.

**Extension of Time:** Any time limits established by this policy and these procedures may be extended by mutual consent of the parties involved. However, the total number of days from the date that a complaint is filed until the complaint is resolved shall not exceed one hundred eight (180) days.

**Confidentiality of Records:** All records, complaints, notes, documents, and statements made during or relating to allegations of discrimination shall be maintained on a confidential basis by the Compliance Officer, and no information concerning any complaint shall be documented in an employee's personnel file. However, in the event official proceedings relating to such allegations are initiated by a party or the District, such records may become public in accordance with law. Information pertaining to complaints shall be maintained for three (3) years after resolution of the complaint.

**Non-retaliation Provision:** No person filing a grievance nor anyone participating in the grievance process under this policy will be subjected to any form of reprisal, retaliation, intimidation or harassment because he or she has utilized this grievance procedure in good faith or because he or she has in any way participated in any investigation or hearing involving or related to any grievance filed under this policy. The School District will discipline or take appropriate action against any student, employee, agent, or representative of the District who is determined to have engaged in such retaliatory behavior.