

## **2.12 Discrimination Grievance Procedures** (April 2012)

The following policies and procedures are established in order to assist in the fair, prompt, and equitable resolution of student, parent/legal guardian, or employee discrimination or harassment grievances. A grievance hereunder is a claim by a student, parent/legal guardian, or employee that a violation of Title VI (race, color or nation origin), Title IX (sex), Section 504 (disability), Title II of the Americans with Disability Act (disabilities), the Age Discrimination Act of 1975, the Boy Scouts Act or their regulations, has occurred in the programs, activities or facilities of the District. Whenever a grievance occurs, the following procedure will be followed and every effort will be made to secure an appropriate resolution as early as possible.

- (1) As used herein, the term "grievant" means the individual student, parent/legal guardian, or employee filing a grievance under this policy; the term "days" shall mean days when school is in session except that when a grievance is filed on or after May 16, "days" shall refer to Mondays through Fridays, excepting legal holidays.
- (2) At each step of the grievance process, the grievant shall be entitled to identify witnesses and present other relevant information. The District will take necessary steps to correct any conduct which was proven to be discriminatory or harassing and the effects caused by the conduct and to prevent recurrence.
- (3) The inclusion of time limits in this policy is for the purpose of insuring prompt action. However, a specified time limit may be extended by mutual agreement. Any grievance or appeal not filed within the time limits set forth in this policy, unless there is a mutually agreed extension of time, shall be deemed denied.

### **Procedures**

#### **Level One**

A grievant may, within ten (10) days after the occurrence of the event which is the subject of the grievance, make an appointment with and discuss the matter with the appropriate principal. The name and contact information for the principal is located on the district website.

Every effort will be made to resolve the grievance informally at this level. The principal shall conduct any necessary investigation. The principal shall provide a written response to the grievant within ten (10) working days after the initial discussion. While the grievant is encouraged to use the informal process, Level One is optional and may be bypassed by the grievant.

#### Level Two

In the event the grievant proceeds with Level One and is not satisfied with the disposition of the grievance at Level One, the grievant shall reduce the grievance to writing, sign it, and submit it to the appropriate compliance coordinator within ten (10) days after receiving the response at Level One. See Board Policy 5.18 for the identity of the appropriate compliance coordinator.

If the grievant does not pursue the grievance through Level One, the grievant shall, within ten (10) days of the occurrence of the event which is the subject of the grievance, reduce the grievance to writing, sign it, and submit it to the appropriate compliance coordinator. See Board Policy 5.18 for the identity of the appropriate compliance coordinator.

A written grievance shall contain a detailed description of the factual circumstances upon which the grievance is based and an explanation of how such facts result in discrimination. The compliance coordinator may designate another appropriate administrator to conduct any necessary investigation. The compliance coordinator or the compliance coordinator's designee will issue a written response to the grievant no later than thirty (30) working days after receipt of the written grievance.

#### Level Three

In the event the grievant is not satisfied with the Level Two resolution, within five (5) days after receiving the response, the grievant may submit an appeal to the superintendent. The superintendent or the superintendent's designee

will meet with the grievant, conduct an additional investigation if necessary, and respond in writing to the grievant within ten (10) days of the receipt of the appeal on the grievance. If the superintendent is the subject of the grievance, an appeal of the compliance coordinator's decision may be made to the Board of education as outlined in Level Four.

#### Level Four

Within five (5) days after receiving the Level Three decision, the grievant may appeal the superintendent's decision to the Board by notifying the Board secretary in writing. The Board shall hear the grievance at the next regularly scheduled board of education meeting after the notice of appeal is received or at such other time as determined by the board. The Board shall hear evidence from the grievant. The Board will consider all relevant evidence presented in connection with the grievance and may request individuals to testify before the Board. Within thirty (30) days after the hearing of the grievance, the Board of Education shall determine what action, if any, should be taken to resolve the grievance. The decision of the Board of Education shall be final and the grievant shall be informed of the decision in writing.