

**COMPLAINTS AND GRIEVANCES UNDER TITLE IX,  
SECTION 504 OF THE REHABILITATION ACT (SEC. 504),  
AND THE AMERICANS WITH DISABILITIES ACT (ADA)**

Individuals shall be given an opportunity to be heard on complaints and grievances they may have alleging an action affecting them which is prohibited by Title IX, Sec. 504 and/or the ADA.

An individual filing such a complaint or grievance shall be provided with information regarding the prompt and equitable resolution of the complaint or grievance. Individuals shall have the right to present complaints and grievances free from coercion, interference, restraint, discrimination or retaliation.

The administration shall notify employees and students of the existence of complaint and grievance procedures, on an annual basis. A copy of this policy and its implementing regulation shall be available in every school.

Annual Notification

In each school year, the District shall publish a notice of non-discrimination and the existence of the grievance procedures for resolving complaints of discrimination due to sex and/or disability. The notice shall:

1. Inform parents or guardians, employees, applicants recognized employee unions and students that the District does not impermissibly discriminate on the basis of disability, race, color, national origin, sexual orientation, age or sex in admission or access to, or treatment or employment in, its programs and activities;
2. Provide the name address and telephone number of the person designated as the Coordinator or Compliance Officer to receive complaints and to coordinate the District's efforts to comply with the non-discrimination provisions regarding sex and/or disability;
3. State the District is obligated to identify, evaluate, and to extend to each qualified student with a disability residing the District, a free appropriate public education including modifications, accommodations, specialized instruction or related aids and services as deemed necessary to meet the education needs of such students as adequately as the needs of non-disabled students are met and shall state the school official to contact if a parent or guardian believes his or her child may have a disability that requires modifications or accommodations to his or her education program.
4. Be included in recruitment announcements, catalogues, the school calendar, student and staff handbooks, and applications for employment and shall be posted in each school in the district.

The Superintendent of Schools shall establish regulations and procedures for the resolution of complaints or grievances and for appealing decisions which may affect covered individuals.

Definitions:

1. "Grievant" shall mean an individual who alleges there has been a violation of Title IX, Sec. 504, or the ADA or their implementing regulations, which affects him or her.
2. "Grievance" shall mean any alleged violation of Title IX, Sec. 504, or the ADA or their implementing regulations.
3. "Compliance Officer" or "Coordinator" shall mean the employee designated by the Board of Education to coordinate efforts to comply with and carry out responsibilities under Title IX, Sec. 504, and/or the ADA.
4. "Representative" shall mean any person designated by the grievant as his/her counsel or to act in his/her behalf.

Individual complaints and grievances shall be handled in accordance with the following guidelines:

1. For informal conciliation, an individual should confer with the appropriate teacher or other school personnel to achieve prompt resolution. If the resolution is unacceptable, the individual may appeal to the Building Principal, who shall promptly make a determination in all such cases.
2. Notwithstanding the above, an individual may initiate a complaint alleging an action prohibited by Title IX, Sec. 504 and/or the ADA by requesting a meeting and review by the Building Principal.
3. Complaints, not resolved by the Building Principal, or if the Building Principal is the grievant, may be processed in accordance with the following procedures:

Stages

A. Stage I – Compliance Officer/Coordinator

1. Within thirty (30) days after the events giving rise to the grievance, the grievant may file a grievance in writing with the Compliance officer/Coordinator. The Compliance Office/Coordinator may informally discuss the grievance with the grievant and shall promptly investigate the complaint. All District employees shall cooperate with the Compliance Officer/Coordinator in such investigation.

2. Within fifteen (15) days of the receipt of the grievance, the Compliance Officer/Coordinator shall make a finding in writing that there has or has not been a violation of Title IX, Sec. 504, or the ADA. In the event the Compliance Officer/Coordinator finds there has been a violation, he or she shall submit his or her findings to the Deputy Superintendent. The Deputy Superintendent and the Compliance Officer/Coordinator shall jointly propose in writing an equitable resolution of the complaint.
3. If the grievant is not satisfied with the finding of the Compliance Officer/Coordinator, or with the proposed resolution of the grievance, the grievant may, within fifteen (15) days after receipt of the report of the Compliance Officer/Coordinator, file a written request for review by the Superintendent.

B. Stage II – Superintendent of Schools

1. The Superintendent or designee may request the grievant, the Compliance Officer/Coordinator, or any member of the District staff to present a written statement setting forth any information such person has relative to the grievance and the facts surrounding it.
2. The Superintendent or designee shall notify all parties of her or his receipt of a written request for review by the Superintendent or designee and that the Superintendent or designee shall accept written statements from each party setting forth their position regarding the review within fifteen (15) days of the date of the Superintendent or designee's notice of receipt of the request for review. The Superintendent or designee may, in her or his sole discretion, determine to hold a hearing or hear oral presentations in order to obtain further information. The Superintendent or designee shall issue a written determination within fifteen (15) days thereafter.
3. The Superintendent or designee's determination shall include a finding that there has or has not been a violation of Title IX, Sec. 504 and/or the ADA, and, if a violation has been found, a recommendation for equitably resolving the complaint.
4. If the grievant is not satisfied with the determination of the Superintendent or designee, the grievant may, within fifteen (15) days after receipt, file with the Clerk of the Board of Education, a written request for review by the Board.

C. Stage III – Board of Education

1. When a request for review by the Board has been made, the Superintendent or designee shall submit all written statements and other materials concerning the case to the President of the Board.

2. The Board shall notify all parties concerned of the date when the appeal will be considered. The Board shall consider the appeal based upon the record submitted by the Superintendent or designee and additional written submissions, unless it determines to hold a hearing or hear oral presentation in order to obtain further information. The appeal will be considered within fifteen (15) school days of the receipt of the grievant's request.
3. The Board shall render a decision in writing within fifteen (15) days after the appeal has been considered.

Ref: *Anti-Bullying and Harassment Policy*  
*Employee and Student Freedom From Sexual Harassment Policy*

*Adopted 11/25/96*  
*Revised 3/19/12*