

NONDISCRIMINATION REGULATIONS RELATING TO COMPLAINTS AND GRIEVANCES

The usual procedure for an aggrieved person or persons with a grievance is to discuss the matter in a conference with the school district's responsible designee, or where that is not possible, the Superintendent. It is expected that most grievances will be satisfactorily resolved through this procedure.

It is understood that the parties involved and witnesses will be guaranteed freedom from restraint, interference, coercion, discrimination, or reprisal with respect to processing a grievance.

FORMAL STEPS:

The aggrieved person shall reduce the grievance to writing on the prescribed form (AC-E) and submit it to the designee who will consider the evidence provided by the aggrieved and prescribe any corrective action, if necessary, within 15 calendar days after receipt of the written grievance. Where the grievant is a student who has initiated the process by contacting the building principal, an appeal from the decision of the building principal shall be submitted in writing by the aggrieved within 5 calendar days from the receipt of the decision of the principal, to the Title IX Coordinator at which point the procedure to be followed will be the same as the procedure used for grievances for non-students filed with the Title IX Coordinator.

Any appeal from the decision of the designee shall be submitted in writing by the aggrieved within 5 calendar days from the receipt of the decision to the Superintendent who will consider the evidence provided by the aggrieved and designee, and prescribe any corrective action, if necessary, within 15 calendar days from receipt of the appeal.

Any appeal from the decision of the Superintendent shall be submitted in writing by the aggrieved within 5 calendar days from the receipt of the Superintendent's decision, to the school board through the Superintendent of Schools, and the board shall set a time and place for a hearing which shall not be less than 10 calendar days nor more than 30 calendar days from the receipt of the written appeal. The date of the hearing may be postponed or made sooner by mutual agreement of both parties.

All hearings conducted by the school board shall:

1. Be in non-public session of the board with only interested parties present, unless both the aggrieved and the accused request an open meeting.
2. Give all interested parties the opportunity to be represented by counsel of their choosing, to present sworn testimony, to present witnesses and documentary evidence, to cross-examine witnesses offered by other parties, to give reasonable oral arguments, and to file typewritten briefs. Copies of all briefs, notices, and requests shall be reasonably furnished to opposing parties.

The board shall render a decision in writing within 30 days after the hearing has been concluded.

Failure at any step of this procedure to communicate the decision on a grievance within the specified time limit shall permit the aggrieved to lodge an appeal to the next step of this procedure.

Failure at any level of this procedure to appeal a grievance to the next level within the specified time limit shall be deemed to be acceptance of the decision rendered at that level.

Appeal from the school board's decision on matters concerning federal compliance may be brought, within ten days, to the State Commissioner of Education or Federal Office of Civil Rights; and appeal from its decision may be brought in Federal Court, whose decision shall be final.

DEFINITIONS:

1. An aggrieved person is the person making the complaint.
2. A party in interest is the person or persons making the complaint and any person who might be required to take action or against whom action might be taken in order to resolve the complaint.
3. Grievance or complaint means an alleged violation, misinterpretation, or application of the applicable federal regulations.

See Exhibit **AC-E**

Legal References: None

Adopted: 9/14/93

Reaffirmed: 7/17/95, 11/7/05

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