

## R 2260 AFFIRMATIVE ACTION GRIEVANCE PROCEDURE

### A. Purpose and Application

1. The purpose of this procedure is to give any student or the parent(s) or legal guardian(s) of a student the opportunity to appeal an alleged violation of the district's Affirmation Action Policy for school and classroom practices, as set forth in Policy No. 2260.
2. This procedure is intended to facilitate an equitable and just resolution of a dispute at the most immediate level and will be implemented in an informal manner.
3. Every reasonable effort will be made to expedite the process in the interest of a prompt resolution. Time limits may, however, be extended with the consent of all parties.
4. All participants in the procedure will respect the confidentiality that this district accords to information about individual students.

### B. Definitions

1. "Affirmative Action Officer" means the district official responsible for the coordination of activities relating to compliance with the Affirmative Action Policy.
2. "Affirmative Action Policy" means the Affirmative Action Policy for school and classroom practices adopted by the Board.
3. "Board of Education" means the Board of Education of the Lenape Regional High School District.
4. "Complainant" means a student or parent(s) or legal guardian(s) who believes that he/she has been harmed or adversely affected by a failure to enforce the district's Affirmative Action Policy.
5. "Complaint" means an unresolved problem concerning the interpretation or application by an officer or employee of this school district of law and regulations regarding the Affirmative Action Policy.
6. "Day" means a working or calendar day as identified.



7. "Student" means an individual enrolled in any formal educational program provided by the school district.
  8. "School district" means the Lenape Regional High School District.
  9. "Violation" means the failure of a district official or employee to take the positive steps outlined in Policy No. 2260.
- C. Procedure
1. A complainant shall discuss his/her complaint with the staff member most closely involved in an attempt to resolve the matter informally.
  2. If the matter is not resolved to the satisfaction of the complainant within fifteen (15) working days, the complainant may submit a written complaint to the building Affirmative Action Officer. The complaint will include:
    - a. The student's name and, in the complaint of a person acting on behalf of the student, the name and address of the complainant,
    - b. The specific failure to act that the complainant complains of,
    - c. The school employee, if any, responsible for the alleged violation of the Affirmative Action Policy,
    - d. The results of discussions conducted in accordance with paragraph C1, and
    - e. The reasons why those results are not satisfactory.
  3. The building Affirmative Action Officer will investigate the matter informally and will respond to the complaint in writing no later than ten (10) working days after receipt of the written complaint. A copy of the complaint and the response will be forwarded to the District Affirmative Action Officer.
  4. The response of the building Affirmative Action Officer may be appealed to the District Affirmative Action Officer in writing within five (5) working days after it has been received by the complainant. The appeal will include the original complaint, the response to the complaint, and the complainant's reason for rejecting the response. A copy of the appeal



must be given to the staff member alleged to have violated the Affirmative Action Policy. The District Affirmative Action Officer will investigate and respond in writing no later than ten (10) working days after receipt of appeal.

5. The response of the District Affirmative Action Officer may be appealed to the Superintendent in writing within five (5) working days after it has been received by the complainant. The appeal will include the original complaint, the response to the complaint, and the complainant's reason for rejecting the response.

Upon his/her timely request, the complainant will be given a meeting before the Superintendent, at a time and place convenient to the parties, but no later than ten (10) working days after the request for the hearing has been submitted. The Superintendent may also require the presence at the hearing of the employee charged with a discriminatory act and any other person with knowledge of the act complained of.

The Superintendent should issue a written decision in the matter no later than fifteen (15) working days after the appeal was filed or the hearing was held, whichever occurred later. Copies of the decision will be given to all parties.

6. The complainant may appeal the Superintendent's decision to the Board by filing a written appeal with the Board Secretary no later than three (3) working days after receipt of the Superintendent's decision. The appeal shall include:
  - a. The original complaint,
  - b. The response to the complaint,
  - c. The Superintendent's decision,
  - d. The complainant's reason for believing the Superintendent's decision should be changed.
7. A copy of the appeal to the Board must be given to the staff member, if any, charged with a violation of the Affirmative Action Policy.



# REGULATION

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8. The Board will review all papers submitted and may render a decision on the basis of the proceedings below. If the complainant so requests, the Board may convene a hearing, at which all parties may be represented by counsel and may present and examine witnesses, who will testify under oath.
  9. The Board will render a written decision no later than forty-five (45) calendar days after the appeal was filed or the hearing held, whichever occurred later. Copies of the decision will be given to all parties.
- D. Record

The records of any complaint processed in accordance with this procedure shall be maintained in a file separate from the student's cumulative file. A notation shall be made in the student's file of the presence of the record in the separate file.

Adopted: 16 September 1997

Revised: 29 January 2007

Revised: 22 October 2018

