

Regulation

NONDISCRIMINATION/AFFIRMATIVE ACTION: GRIEVANCE PROCEDURE

General Rules

The Chester Board of Education guarantees that all district employees/students will be notified on a regular continuing basis of the district's adopted grievance procedures. Such notification will occur in order to provide for the prompt and equitable resolution of any employee/student complaints alleging any action, which would be prohibited by the provisions of Title VI of the Civil Rights Act, Title IX prohibiting discrimination on the basis of sex, 504 of the Rehabilitation Act of 1973 as administered by the U.S. Department of Health, Education, and Welfare, and other relevant legislation.

All efforts should be given in order to informally resolve any complaint and thus avoid the formal filing of grievances.

Definitions

A. Grievant

Any district employee/student, or person acting in his/her behalf, may file a grievance if s/he believes they have been discriminated against in regard to any aspect of his/her employment status or student status, on the appropriate form.

B. Grievance

The term grievance refers to a formal written complaint.

C. Level Hearing Officer

An employee of the board of education who is specifically delegated the authority and responsibility for hearing/resolving a grievance at a specified level in the grievance process.

D. Grievance Answer/Decision

This is the written statement of the delegated hearing officer of his/her finding, regarding the validity of the allegation contained in the grievance and any corrective action to be taken.

E. Corrective Action

Any action which is taken by the board of education or its designated employee to remediate, eliminate or modify any policy, procedure or practice found to be in violation of ~~Title IX~~ board policy or law and/or provide redress to any grievant injured by the identified violation.

F. Affirmative Action, Title IX Coordinator

The district employee delegated by the board of education to coordinate its effort to comply with and carry out its responsibilities under Title VI and IX. The coordinator will initially review all grievances and determine at which hearing level the grievance will be referred for resolution and/or corrective actions.

G. Pre-grievance Meeting

Prior to the filing of a written grievance, the grievant(s) may request a pre-grievance meeting with the respondent alleged to be directly responsible for the violation and/or persons with immediate supervisory authority related to the grievance.

GRIEVANCE PROCEDURE (regulation continued)Grievance Filing Time Limit

Thirty (30) days allowable from the date of the alleged violation or as per negotiated agreement.

Grievance Processing Levels

- Level I: Building Level
Hearing Officer: principal or designate
Outcomes: Resolution or appeal to coordinator for Level II Hearing.
- Level II: Central Administrative level
Hearing officer: Superintendent
Outcomes: Resolution or appeal to coordinator for Level III Hearing.
- Level III: Board of Education
Hearing officer(s): The total board or member(s) officially designated for that purpose.
Outcomes: Resolution or appeal to State and Federal authorities.

At each level of the grievance process a written grievance answer/decision shall be prepared by the delegated hearing officer of his/her finding, regarding the validity of the allegation contained in the grievance and any corrective action to be taken.

Other Appeals

Where applicable, the complainant will be informed of his or her right to appeal the Board's decision to the:

1. The Commissioner of Education
Bureau of Controversies and Disputes
New Jersey Department of Education
PO Box 500
Trenton, New Jersey 08625
Phone: (609) 292-5705
2. Equal Employment Opportunity Commission Newark District Office
1 Newark Center, 21st Floor
Newark, New Jersey 07102
Phone: 800-669-4000 or 973-645-6383
3. U.S. Office for Civil Rights
U.S. Department of Education
32 Old Slip, 26th Floor
New York, NY 10005-2500
Phone 646-428-3900 or TDD: 877-521-2172
Email: OCR.NewYork@ed.gov
4. New Jersey Division on Civil Rights
140 East Front Street, 6th Floor
P.O. Box 090
Trenton, NJ 08625-0090
Phone: 609-292-4605 or TDD 609-292-1785

Records

The records of any complaint processed in accordance with this procedure shall be maintained in a file kept by the affirmative action officer.

GRIEVANCE PROCEDURE (regulation continued)

A copy of the decision rendered at the highest level of appeal will be kept in the student or employee's confidential record and in accordance with the New Jersey Department of Treasury, Division of Revenue and Enterprise Service, Records Management Services (RMS).

Adopted:	May 17, 1977
Revised:	June 1, 1982, March 2, 2004, September 17, 2018
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