

300.50 - Uniform Grievance Procedure

A student, parent/guardian, employee, or community member should notify the Complaint Manager if he or she believes that his or her rights guaranteed by the [State Constitution](#), State or federal statute, or North Intermediate Service Center (NCISC) policy have been violated, or if he or she has a complaint regarding any one of the following:

1. Title II of the Americans with Disabilities Act, [42 U.S.C. §12101 et seq.](#)
2. Title IX of the Education Amendments of 1972, [20 U.S.C. §1681 et seq.](#),
3. Section 504 of the Rehabilitation Act of 1973, [29 U.S.C. §791 et seq.](#)
4. Discrimination and/or harassment on the basis of race, color, or national origin prohibited by the Illinois Human Rights Act, [775 ILCS 5/](#); Title VI of the Civil Rights Act of 1964, [42 U.S.C. §2000d et seq.](#); and/or Title VII of the Civil Rights Act of 1964, [42 U.S.C. §2000e et seq.](#)
5. Title VII of the Civil Rights Act of 1964, [42 U.S.C. §2000e et seq.](#) (see also number 4, above, for discrimination and/or harassment on the basis of race, color, or national origin)
6. Sexual harassment prohibited by the State Officials and Employees Ethics Act, [5 ILCS 430/705\(a\)](#); Illinois Human Rights Act, [775 ILCS 5/](#); and Title VII of the Civil Rights Act of 1964, [42 U.S.C. §2000e et seq.](#)
7. Breastfeeding accommodations for students, [105 ILCS 5/10-20.60](#)
8. Bullying, [105 ILCS 5/27-23.7](#)
9. Misuse of funds received for services to improve educational opportunities for educationally disadvantaged or deprived children
10. Curriculum, instructional materials, and/or programs
11. Victims' Economic Security and Safety Act, [820 ILCS 180/](#)
12. Illinois Equal Pay Act of 2003, [820 ILCS 112/](#)
13. Provision of services to homeless students
14. Illinois Whistleblower Act, [740 ILCS 174/](#)
15. Misuse of genetic information prohibited by the Illinois Genetic Information Privacy Act, [410 ILCS 513/](#); and Titles I and II of the Genetic Information Nondiscrimination Act, [42 U.S.C. §2000ff et seq.](#)
16. Employee Credit Privacy Act, [820 ILCS 70/](#)

The Complaint Manager will first attempt to resolve complaints without resorting to this grievance procedure. If a formal complaint is filed under this policy, the Complaint Manager will address the complaint promptly and equitably. A student and/or parent/guardian filing a complaint under this policy may forego any informal suggestions and/or attempts to resolve it and may proceed directly to this grievance procedure. The Complaint Manager will not require a student or parent/guardian complaining of any form of harassment to attempt to resolve allegations directly with the accused (or the accused's parents/guardians); this includes mediation.

The right of a person to prompt and equitable resolution of a complaint filed under this policy shall not be impaired by the person's pursuit of other remedies, e.g., criminal complaints, civil actions, etc. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies and use of this grievance procedure does not extend any filing deadline related to the

pursuit of other remedies. If a person is pursuing another remedy subject to a complaint under this policy, NCISC will continue with a simultaneous investigation under this policy.

Deadlines

All deadlines under this policy may be extended by the Complaint Manager as he or she deems appropriate. As used in this policy, *school business days* means days on which the NCISC office is open.

Filing a Complaint

A person (hereinafter Complainant) who wishes to avail him or herself of this grievance procedure may do so by filing a complaint with the Complaint Manager. The Complaint Manager may request the Complainant to provide a written statement regarding the nature of the complaint or require a meeting with a student's parent(s)/guardian(s). The Complaint Manager shall assist the Complainant as needed.

Investigation Process

The Complaint Manager will investigate the complaint or appoint a qualified person to undertake the investigation on his or her behalf. The Complaint Manager shall ensure both parties have an equal opportunity to present evidence during an investigation. If the Complainant is a student under 18 years of age, the Complaint Manager will notify his or her parents/guardians that they may attend any investigatory meetings in which their child is involved. The complaint and identity of the Complainant will not be disclosed except: (1) as required by law or this policy, (2) as necessary to fully investigate the complaint, or (3) as authorized by the Complainant.

The identity of any student witnesses will not be disclosed except: (1) as required by law or this policy, (2) as necessary to fully investigate the complaint, or (3) as authorized by the parent/guardian of the student witness, or by the student if the student is 18 years of age or older.

The Complaint Manager will inform, at regular intervals, the person(s) filing a complaint under this policy about the status of the investigation. Within 30 school business days after the date the complaint was filed, the Complaint Manager shall file a written report of his or her findings with the Executive Director. The Complaint Manager may request an extension of time.

If a complaint contains allegations involving the Executive Director, the written report shall be filed directly with the Governing Board, which will make a decision in accordance with paragraph three of the following section of this policy.

Decision and Appeal

Within five school business days after filing a written report of his or her findings with the Executive Director, the Complaint Manager will send a written decision to the Complainant and the accused and will confirm the decision was received by both parties. All decisions shall be based upon the *preponderance of evidence* standard.

Within 10 school business days after receiving the Complaint Manager's decision, the Complainant or the accused may appeal the decision to the Executive Director by making a written request to the Complaint Manager. The Complaint Manager shall promptly forward all

materials relative to the complaint and appeal to the Executive Director. The Executive Director's decision shall be final.

For complaints containing allegations involving the Executive Director within 30 school business days after receiving the Complaint Manager's or outside investigator's report or immediately following the next regularly scheduled Governing Board meeting, whichever is later, the Governing Board shall send a written decision to the Complainant and the accused and will confirm the decision was received by both parties. All decisions shall be based upon the *preponderance of evidence* standard.

This policy shall not be construed to create an independent right to a hearing before the Executive Director or the Governing Board. The failure to strictly follow the timelines in this grievance procedure shall not prejudice any party.

Appointing a Nondiscrimination Coordinator and Complaint Manager

The Executive Director shall appoint a Nondiscrimination Coordinator to manage efforts to provide equal opportunity employment and educational opportunities and prohibit the harassment of employees, students, and others. The Nondiscrimination Coordinator also serves as the Title IX Coordinator. In addition, the Executive Director shall appoint at least one Complaint Manager to administer this policy.

The Executive Director shall insert into this policy and keep current the names, office addresses, email addresses, and telephone numbers of the Nondiscrimination Coordinator and the Complaint Managers.

Title IX Coordinator/Nondiscrimination Coordinator:

Cheryl Moore, Director of Human Resources
1001 E. Touhy Ave
Des Plaines, IL 60018
847-803-5603
cmoore@ncisc.org

Complaint Manager:

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