Uniform Grievance Procedure

A student, parent/guardian, employee, or community member should notify any District Complaint Manager or Nondiscrimination Coordinator if he or she believes that the School Board, its employees, or its agents have violated his or her rights guaranteed by the State or federal Constitution, State or federal statute, or has a complaint regarding any one of the following:

1. Discrimination and/or harassment on the basis of race, color, religion, sex, national origin, ancestry, age, order of protection status, marital status, physical or mental disability, military status, sexual orientation, pregnancy, citizenship/work authorization status, as prohibited by the Illinois Human Rights Act, Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, the Illinois Racism Free Schools Act, and any other protected class status recognized by State and/or federal law
2. Sexual harassment prohibited by the Illinois Human Rights Act, Title VII of the Civil Rights Act of 1964, and the State Officials and Employee Ethics Act (Title IX sexual harassment complaints, including complaints regarding breastfeeding accommodations for students, are addressed by Board policy 2.265, *Title IX Grievance Procedure* or Board policy 7.255, *Students Who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence*)
3. Title II of the Americans with Disabilities Act
4. Section 504 of the Rehabilitation Act of 1973
5. Bullying as defined by Section 27-23.7 of the Illinois School Code.

Any District employee who receives a report of discrimination, harassment or bullying, or a violation of a Board policy prohibiting discrimination, harassment or bullying must promptly forward the complaint to a designated Complaint Manager or Nondiscrimination Coordinator. Any employee who fails to properly notify a designated Complaint Manager or Nondiscrimination Coordinator of an allegation of discrimination, harassment or bullying, or a violation of Board policy may be disciplined, up to and including discharge, for such failure to report.

Complaints by students, parents/guardians, employees or community members regarding violation of Board of Education policies that do not address rights guaranteed by the State or federal Constitution, or rights provided by State or federal statute, should be directed to the school staff member responsible for implementing the policy in question. For example, a complaint about a grade should first be directed to the teacher. If not resolved at that level, the Complainant would follow the chain of command to seek resolution (department chair, associate principal, principal). Where a Complainant is uncertain about where to direct a complaint of this type, the building principal should be contacted.

Nondiscrimination Coordinators, Complaint Managers and Title IX Coordinator

The Superintendent shall appoint the following individuals to administer this policy:

- ***Nondiscrimination Coordinators***, who shall manage the District's efforts to provide equal opportunity employment and educational programming and prohibit the harassment and discrimination of employees, students, and District community members when participating in District programming and events. The Superintendent shall appoint at least two (2) Nondiscrimination Coordinators.

- ***Complaint Managers***, who shall assist Complainants in filing complaints under this policy, including facilitating an Informal Resolution Process (when agreed upon by the Complainant), conducting investigations of allegations forming the basis of the complaint, and preparing a written report which sets forth the resolution or dismissal of the complaint. Complaint Managers are trained in avoiding bias and conflicts of interest and may assist with facilitating the Informal Resolution Process. Complaint Managers will have knowledge of all programs administered by the District, have access to all relevant documents and policies needed to facilitate the resolution of complaints raised, and may recommend complaint resolution agreements to the Superintendent.

  The Superintendent shall appoint at least four (4) Complaint Managers. The Superintendent may appoint another qualified District employee to serve as a Complaint Manager or may assign an external Complaint Manager as needed in order to resolve complaints brought under this policy in a timely and efficient manner.

- ***Title IX Coordinator*****,** who shall coordinate the District's efforts to comply with Title IX.

The Superintendent shall insert and keep current in this policy, and other related policies, the names, office addresses, email addresses and telephone numbers of the Nondiscrimination Coordinators, Title IX Coordinator, and the Complaint Managers as appropriate. When an alternate Complaint Manager or external Complaint Manager is appointed, the name, telephone, office address and email of the alternate Complaint Manager will be provided, in writing, to the Complainant and, if the Complainant is a student, their parent/guardian.

Nondiscrimination Coordinator:

Ms. Gina Ziccardi
gziccardi@csd99.org
Associate Superintendent for Student Learning
Community High School District 99
6301 Springside Avenue
Downers Grove, IL 60516
630-795-7111

Title IX & Nondiscrimination Coordinator:

Dr. Kelly Zuerner
kzuerner@csd99.org
Director of Staff Experiences
Community High School District 99
6301 Springside Avenue
Downers Grove, IL 60516
630-795-7119

Complaint Managers:

Mr. Patrick Fleming
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Associate Principal
North High School
4436 Main Street
Downers Grove, IL 60515
630-795-8408

Dr. Ken Sorensen
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4436 Main Street
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630-795-8404

Dr. Karen Taylor
ktaylor@csd99.org
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1436 Norfolk
Downers Grove, IL 60516
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Mr. Omar Davis
odavis@csd99.org
Associate Principal
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1436 Norfolk
Downers Grove, IL 60516
630-795-8503

Right to Pursue Other Remedies

The right of a Complainant to timely and equitable resolution of a complaint filed under this policy shall not be impaired by the Complainant's pursuit of other remedies, e.g., criminal complaints, civil actions, complaints filed with State agencies. Use of this procedure is not a prerequisite to the pursuit of other remedies and does not extend the filing deadlines related to the pursuit of other remedies. If a Complainant is pursuing another remedy subject to a complaint raised under this policy, the District may, or may not, continue with a simultaneous investigation under this policy.

For any complaint alleging bullying and or cyberbullying of students, the notice requirements, timelines and procedures set forth in Board policy 7.180, *Prevention of and Response to Bullying, Intimidation and Harassment* shall be followed.

For any complaint alleging sexual harassment or other violation of Board policy 5.20, *Workplace Harassment Prohibited*, the Nondiscrimination Coordinator or a Complaint Manager or designee shall process and review the complaint according to that policy, in addition to any response required by this policy, and shall consider whether an investigation under Board policy 5.120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*, should be initiated.

Filing a Complaint

All deadlines under this policy may also be extended as deemed appropriate by the Complaint Manager or Nondiscrimination Coordinator. For complaints under appeal, the Superintendent or designee may extend deadlines as appropriate. Complaints of bullying and/or harassment filed under Board policy 7.180, *Prevention and Response to Bullying, Intimidation and Harassment*, which shall be administered in accordance with the timelines required by Section 27-23.7 of the Illinois School Code. As used in this policy, "school business day" means any day on which the

District's main office is open. If the timelines are extended, the Complaint Manager will inform, at regular intervals, the Complainant, Respondent and Nondiscrimination Coordinator regarding the status of the investigation.

1. Complaints may be reported to any District Complaint Manager or Nondiscrimination Coordinator via telephone, email, or by appointment, through an in-person meeting or video conference. Complaints should be made in writing whenever possible.

2. Upon receipt of a complaint under this policy, the Complaint Manager assigned will contact the Complainant and, if the Complainant is a student, their parent(s)/guardian(s). The Complaint Manager may require the Complainant to submit a written complaint and/or participate in an initial intake meeting. The District may issue a notice dismissing the complaint if the Complainant refuses to participate in an intake meeting and/or share information needed to investigate and respond to the complaint.

3. Intake meetings will be held within five school business days of the filing of a complaint under this policy. The purpose of the intake meeting is for the Complainant to fully explain the nature and extent of the complaint to the Complaint Manager.

Informal Resolution Process

At the conclusion of the intake meeting, the Complaint Manager may propose that the Complainant engage in an Informal Resolution Process. If informal resolution is proposed, the Complaint Manager will explain the process and provide the Complainant with written notice that includes the following information:

(a) A statement setting forth the allegations at issue to be resolved;
(b) A summary of the Informal Resolution Process requirements for participation;
(c) The rights of the Complainant and the Respondent to withdraw from the Informal Resolution Process at any time prior to reaching a Resolution Agreement;
(d) A statement explaining the prohibition on bringing another complaint based on the same allegations after a Resolution Agreement is entered; and
(e) A statement explaining that the terms for resolution agreed upon through the Informal Resolution Process are binding only on the parties and will not be utilized in determining any future complaints.

The District offers informal resolution for all allegations of discrimination, harassment and bullying other than when such a complaint mandates the District to report the allegations in accordance with the requirements of the Illinois Abused and Neglected Child Reporting Act. If the Informal Resolution Process is successful, the Complaint Manager will memorialize the resolution in a final letter to the Complainant, the Respondent, and any other individuals directly involved. The Superintendent will also receive a copy of the resolution letter.

Formal Resolution Process

1. If the Complainant declines informal resolution, or if informal resolution does not resolve the complaint, the Complaint Manager will complete a Summary of Complaint Form, which will describe the complaint, identify all Complainants and individuals thought to be responsible for the action(s) that forms the basis for the complaint (Respondents) (including their roles and relationship to the District, e.g., student, parent, teacher, employee), the date or dates and time(s) of day on which such action(s) occurred, the location of the actions, and any other information relevant to the investigation of the complaint. Any written statement completed by the Complainant(s) will be attached to this form. A copy of the completed form will be shared with the Complainant and maintained by the Complaint Manager as part of the record of the investigation. The Superintendent will keep the Board informed of all formal complaints.

   If a complaint contains allegations involving the Superintendent or Board member(s), the written report shall be filed directly with the Board, which will make a decision in accordance with the process outlined below.

2. The Complaint Manager will investigate the complaint or refer the complaint to the Superintendent or designee, who will appoint a qualified investigator to conduct the investigation. The Complaint Manager or external investigator will provide both the Complainant and the Respondent with an equal opportunity to present evidence during the investigation. The complaint and the identity of the Complainant will not be disclosed except as required by (1) law, this policy, or any applicable collective bargaining agreement, (2) as necessary to fully investigate the complaint, and (3) as authorized by the Complainant.

3. The identity of any student witnesses will not be disclosed except: (1) as required by law, this policy, or any collective bargaining agreement, (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.

4. 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 of the intake meeting, unless such timeline is extended for good cause by the Superintendent or designee, the Complaint Manager or external investigator will issue a written determination to the Complainant, Respondent, and any fact witnesses as to whether discrimination, harassment or another violation of the Complainant's rights has occurred. The determination letter to the Complainant and Respondent will include the rationale for such determination, and the procedures and permissible bases for appeal of the determination. Copies of the final determination letters will be issued to the Complaint Manager (in cases where the Complaint Manager is not the Investigator) and the Superintendent. If the complaint contains allegations involving the Superintendent or Board member(s), copies of the determination letters will be issued directly to the Board.

Appeals

1. Appeal to the Superintendent

   Within five school business days of receiving the written determination, the Complainant or the Respondent may appeal the determination by submitting a written request including the reasons for the appeal to the Superintendent with a copy to the Complaint Manager. The Complaint Manager shall promptly forward all materials relevant to the complaint and appeal to the Superintendent. The Superintendent shall determine whether to affirm, reverse, or gather additional information. If the Superintendent determines that additional information is needed, they shall notify the Complainant and Respondent in writing and will collect such information as needed. The Superintendent will issue a final letter affirming or reversing the determination of the Complaint Manager or external investigator within 15 school business days, unless the timeline is extended due to the need to collect additional information or other good cause, as determined by the Superintendent.

2. Appeal to the Board of Education

   Within 10 school business days after receiving the Superintendent's decision, the Complainant or the accused may appeal the decision to the Board 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 Board.

   Within 30 school business days of such appeal, the Board shall affirm, reverse, or amend the determination of the Superintendent or direct the Superintendent, or designee to gather additional information. Within five school business days of the Board's decision, the Superintendent shall inform the Complainant and Respondent of the Board's determination.

   The timelines set forth above may be extended for good cause, without prejudice to any party. This policy shall not be construed to create an independent right to a hearing before the Superintendent or Board.

Disciplinary Sanctions and Remedies

Following a determination that discrimination, harassment, or bullying occurred, the District may impose disciplinary sanctions, which may include, but are not limited to, the student disciplinary consequences included in Board policy 7.190, *Student Behavior* (e.g., detention, in-school suspension, out-of-school suspension, expulsion) or employment consequences up to and including termination.

The District may also provide remedies, which may include, but are not limited to: access to counseling and social work, training provided to the individual Respondent and/or Complainant and/or to the school community as a whole, restorative measures such as facilitated meetings between the Complainant and the Respondent, implementation of Safety Plans, etc.

Dismissal of Complaints

The District may dismiss a complaint of discrimination, harassment, or bullying before an investigation has occurred if:

1. The District is unable to identify a Respondent after taking reasonable steps to do so.

2. The Respondent is not participating in the District's education program or activity and is not employed by the District.

3. The Complainant voluntarily withdraws an individual allegation within a complaint or all of the allegations in the complaint, or refuses to provide known information necessary to investigate the complaint, and the District determines that, without the Complainants withdrawn allegations or based on the Complainant's refusal to provide necessary information, the conduct that remains alleged in the complaint, if any, would not constitute discrimination, harassment, or bullying under any relevant laws or policies even if proven; or

4. The District determines the conduct alleged in the complaint, even if proven, would not constitute discrimination, harassment, or bullying under the State and federal statutes addressed by this policy, or constitute a violation of rights set forth by the State or federal Constitution.

Before dismissing the complaint, the District will make reasonable efforts to clarify the allegations with the Complainant.

The Complaint Manager will provide written notice of the District's determination to dismiss the complaint to the Complainant and the Respondent, if the Respondent was notified of the Complaint prior to dismissal. This will be forwarded to the Superintendent. The Complainant may appeal such dismissal by submitting a written request to the Superintendent, with copy to the Complaint Manager, within five school business days of receipt of the written notice of dismissal.

Adopted: 5/17/10
Revised: 2/23/15; 2/22/16; 8/15/16; 11/20/17; 3/19/18; 5/21/18; 3/16/20; 09/21/20; 05/16/22; 06/17/24; 8/7/24 (contacts only); 9/23/24; 07/09/25 (contacts only); 10/20/25