NONDISCRIMINATION

Grievance Procedure for Section 504, Title IX, and Title VII Regulations

The Board of Education does not knowingly condone discrimination on the basis of race, color, national origin, sex, sexual orientation or handicap in admission or access to, or treatment, or employment in its programs or activities.

Inquiries regarding compliance, including receipt and investigation of any complaint alleging non-compliance may be directed to the Superintendent of Schools, or in the Superintendent's absence, the Supervisor of Special Services.

Definitions

A "grievance" is a complaint by an employee, or group of employees, or a student or group of students based upon an alleged violation of the provisions of Section 504, Title IX, or Title VII.

The term "employee" is considered to apply to any employee of the Regional School District No. 7 Board of Education.

The term "student" is considered to apply to any student enrolled in Regional School District No. 7.

The term "teacher" is considered to apply to any teacher employed by the Regional School District No. 7 Board of Education.

The "teacher", "employee", or "student" may include a group of teachers or a group of employees or a group of students who are similarly affected by a grievance.

An "aggrieved person" is the person or persons making the claim.

The term "days", when used in this article, shall, except when otherwise indicated, mean working days.

Purpose

The purpose of this procedure is to secure, at the lowest possible administrative level, equitable solutions to the problems which may arise under the provisions of Section 504, Title IX, or Title VII.

The parties agree that these proceedings shall be kept as informal and confidential as may be appropriate at any level of the procedure.

Nothing herein contained shall be construed as limiting the right of the complainant having a problem to discuss the matter informally with any appropriate member of the administration.

NONDISCRIMINATION

Purpose (continued…)

Any complainant shall have the right at any time to present any grievance to such persons and through such channels as are designated for that purpose in this article.

Time Limits

Since it is important that grievances be processed as rapidly as possible, the number of days indicated at each level should be considered as a maximum, and every effort should be made to expedite the process. The time limits specified may, however, be extended by mutual agreement in writing.

If a complainant does not file a grievance in writing as provided herein within 30 days after the aggrieved person knew or should have known of the act or condition on which the grievance is based, then the grievance shall be considered waived.

Informal Procedures

Any student, employee or applicant to a program who feels that he/she has been discriminated against on the basis of race, color, national origin, sex, sexual orientation or handicap shall contact the building Principal/supervisor within 30 days of the alleged occurrence to discuss the nature of the complaint.

The Principal/supervisor shall maintain a written record which shall contain the following:

1. Full name and address of complainant.

2. Full name and position of person(s) who allegedly discriminated against the complainant.

3. A concise statement of the facts constituting the alleged discrimination.

4. Dates of the alleged discrimination.

At the time the alleged discrimination complaint is filed, Principal/supervisor shall review and explain the grievance procedures with the complainant and answer any questions. An investigation of the complaint shall begin as soon as practical, but in no case, more than ten (10) working days from the time the complaint was received. Within this time limit, the Principal/supervisor shall meet informally with the complainant and the individual(s) against whom the complaint was lodged and shall provide confidential counseling where advisable and shall finally seek an informal agreement between the parties concerned. Every attempt shall be made to seek a solution and resolve the alleged discrimination complaint at this level.

NONDISCRIMINATION

Informal Procedure (continued…)

If the complainant is not satisfied with these initial informal procedures, within twenty (20) school days from the date of the original discussion with the principal/supervisor, more formal procedures may be initiated by the complainant to further explore and resolve the problem.

Formal Procedure

1. Level One – School Principal

   If a complainant is not satisfied with the disposition of the problem through informal procedures, he/she may submit his/her claim as a formal grievance in writing to the Principal.

   The Principal shall within five (5) days render a decision and the reasons therefore in writing to the complainant, with a copy to the Superintendent of Schools.

2. Level Two – Superintendent of Schools

   If the complainant is not satisfied with the disposition of his/her grievance at Level One, or if no decision has been rendered within five (5) days after presentation of the grievance in writing, the complainant may file a written appeal for a hearing by the Superintendent of Schools within five (5) days.

   The Superintendent of Schools shall represent the administration at Level Two of the grievance procedure. Within ten (10) days after receipt of the written appeal for a hearing by the Superintendent, the Superintendent shall meet with the complainant for the purpose of resolving the grievance. A full record of such hearing shall be kept by the Superintendent. The Superintendent shall within three (3) days of the hearing render the decision and the reasons therefore in writing to the complainant.

3. Level Three – Board of Education

   If the complainant is not satisfied with the disposition of the grievance at Level Two, or if no decision has been rendered within three (3) days after first meeting with the Superintendent, the person may file the grievance again with the Board of Education within five (5) days.

Within fifteen (15) days after receiving the written appeal, the Board shall meet with the complainant for the purpose of resolving the grievance. The decision of the Board shall be rendered in writing within three (3) days.

NONDISCRIMINATION

General Provisions

Decisions rendered at all levels of the formal grievance shall be in writing setting forth the decision and the reasons thereof.

All documents, communications and records dealing with the processing of a grievance shall be filed separately from the existing files of the participants.

Any person may also file a complaint of illegal discrimination with the Office of Civil Rights, Washington, D.C., at the same time he/she files the grievance during or after use of the grievance process, or without using the grievance process at all. If a complaint is filed with the Office of Civil Rights, it must be filed in writing no later than 180 days after the occurrence of the possible discrimination.

The Director of Shared Services/Special Education is the Title VII, Title IX and Section 504 Coordinator and may be contacted at (860) 379-8583.

Legal Reference: Title VII, Civil Rights Act, 42 U.S.C. 2000e, et seq.