Affirmative Action Complaint Procedures

I. Complaint Procedures

All students, employees, and parents have the right to immediately report suspected violations of the Stat Policy Prohibiting Discrimination in the workplace, N.J.A.C.4A:7-3.1. If you believe that you have been subject to discrimination based on race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, genders, religion, disability, familial status, or military service status, you may seek a remedy from the School District by filing a complaint in accordance with these procedures.

The following Complaint Procedures are available to the entire school community including but not limited to students, employees, and parents. All complaints will be investigated.

II. Filing a Complaint

In keeping with federal/state antidiscrimination legislation, the Board of Education has adopted and hereby published the Grievance procedure provided for the resolution of student, employee, and parent complaints.

1. **Procedure**
    a. **Step One:** The grievant must present the complaint in written form to the responsible person designated as the Affirmative Action Officer. See Complaint Form.
    b. **Step Two:** The Affirmative Action Officer has five (5) working days in which to investigate and respond to the grievant. A copy of the complaint and the response by the Affirmative Action Officer will be forwarded to the CSA.
    c. **Step Three:** If not satisfied, the grievant may appeal within ten (10) working days to the Superintendent or designee (not Affirmative Action Officer).
    d. **Step Four:** Response by the Superintendent or designee will be given within five (5) working days.
    e. **Step Five:** If the grievant is not satisfied at this level, an appeal may be made to the Board of Education, which will hear the complaint at the next regular meeting or within thirty (30) calendar days. Local Board hearing shall be conducted so as to accord due process to all parties involved in the complaint such as written notice of hearing dates, right to counsel, right to present witnesses, right to cross-examine and to present written statement. The decision of the Board shall be by a majority of the members at a meeting, which shall be public.
    f. **Step Six:** The Merchantville Board of Education shall respond to the grievant within thirty (30) calendar days.

g. **Step Seven:** If the grievant is not satisfied with Board's decision, the grievant can have it referred to the County Superintendent of Schools.

h. **Step Eight:** The grievant maintains the right to by-pass the grievance procedure and submit the complaint directly to any of all of the following agencies:

   i. The Commission Of Education
   Bureau of Controversies and Disputes
   New Jersey Department of Education
   PO Box 500
   Trenton, New Jersey 08625
   Phone: 609-292-5705

   ii. New Jersey Division on Civil Rights
   140 East Front Street, 6th Floor
   PO Box 090
   Trenton, NJ 08625-0090
   609-292-4605 or TDD 609-292-1785

III. Record

a. The records of any complaint processed in accordance with this procedure shall be kept in a file maintained by the Affirmative Action Officer.

b. A copy of the decision rendered at its highest level of appeal will be kept in the complainant's personnel file.