

## STUDENT COMPLAINTS AND GRIEVANCES REGULATION

### *Definitions*

1. *Grievant* shall mean a student who alleges that there has been a violation of Title IX, Section 504 or the Americans with Disabilities Act (ADA) statute or regulations which affect him/her.
2. *Grievance* shall mean any alleged violation of Title IX, Section 504 or ADA statute or regulations.
3. *Compliance Officer* shall mean the employee designated by the Board of Education to coordinate efforts to comply with and carry out responsibilities under Title IX, Section 504 and the ADA.

This regulation and accompanying policy (5030) provide grievance procedures for students alleging any action prohibited by Title IX, Section 504 of the Rehabilitation Act or the ADA. Grievances shall be dealt with in the following manner:

### *Informal Grievance Procedures*

1. Within 30 days after the events giving rise to the grievance, the grievant shall file a grievance in writing with the Compliance Officer. The Compliance Officer may informally discuss the grievance with the grievant. He/She shall promptly investigate the complaint. All employees of the school district shall cooperate with the Compliance Officer in such investigation. During the investigation process, the parties will have an opportunity to identify witnesses and provide evidence.
2. The District will maintain a record of the investigation. Within 15 days of the receipt of the grievance, the Compliance Officer shall make a finding in writing that there has or has not been a violation of Title IX, Section 504 of the Rehabilitation Act or the ADA. In the event the Compliance Officer finds that there has been a violation, he/she shall propose a resolution of the complaint. An investigatory report will be filed with the District at the conclusion of the investigation.
3. If the grievant is not satisfied with the finding of the Compliance Officer, or with the proposed resolution of the grievance, the grievant may, within 10 days after he/she has received the report of the Compliance Officer, file a written request for with the Compliance Officer for review by the District Grievance Committee.

### *Formal Grievance Procedure*

1. The Superintendent of Schools shall appoint one or more Grievance Committees to review grievances of students. The Grievance Committees shall consist of three members each, who shall serve at the Superintendent's pleasure.
2. The Grievance Committee may request that the grievant, the Compliance Officer, or any member of the school district staff present a written statement to the Committee setting forth any information that such person has relative to the grievance and the facts surrounding it.
3. The Grievance Committee shall notify all parties concerned that such parties may present written statements supplementing their position in the case.
4. Within 15 school days of receipt of the grievance, the Grievance Committee shall render its determination in writing. Such determination shall include a finding

- that there has or has not been a violation of Title IX, Section 504 of the Rehabilitation Act or the ADA, a proposal for equitably resolving the complaint. A copy of the decision will be sent to the Superintendent with a copy to the complainant.
5. If the grievant is not satisfied with the finding of the Grievance Committee, or with the proposed resolution of the grievance, the grievant may, within 10 days after he/she has received the decision of the Grievance Committee, file a written request for with the Superintendent for review.
  6. Within 15 days of receipt of the request for review, the Superintendent will render his/her determination in writing as to whether a violation has or has not occurred.

Nothing contained in this grievance procedure mitigates against the ability of aggrieved persons to pursue other means of resolving grievances (i.e., courts, Civil Liberties Union, Human Rights Commission, Office of Civil Rights, etc.)

#### *Remedies*

The District will inform the parties of their rights and provide the parties an opportunity to discuss available resources. The District will take steps to prevent the reoccurrence of discrimination or harassment and if appropriate, to correct the discriminatory effects. Any disciplinary sanctions will be in accordance with the District's Code of Conduct and any applicable District policies.

The District will offer counseling and/or academic support services, as necessary and appropriate, to any student found to be subjected to discrimination and/or harassment and shall make available, as appropriate, counseling services to the individual found to have committed discrimination or harassment.

#### *Non-Retaliation*

The District prohibits retaliation against any individual who files a complaint or participates in a complaint investigation.