

## STAFF COMPLAINTS AND GRIEVANCES REGULATION

### *Definitions*

1. *Grievant* shall mean an employee 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 (9140.1) provide grievance procedures for those employees not covered by collective bargaining agreements or whose negotiated agreements do not include grievance procedures. The resolution of staff complaints alleging any action prohibited by Title IX, Section 504 of the Rehabilitation Act or the ADA shall be dealt with in the following manner:

### *Stages*

#### *A. Stage I Compliance Officer*

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.
2. 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.
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 15 days after he/she has received the report of the Compliance Officer, file a written request for review by the Superintendent of Schools.

#### *B. Stage II Superintendent of Schools*

1. The Superintendent may request that the grievant, the Compliance Officer, or any member of the school district staff present a written statement to him/her setting forth any information that such person has relative to the grievance and the facts surrounding i

2. The Superintendent shall notify all parties concerned as to the time and place when an informal hearing will be held where such parties may appear and present oral and written statements supplementing their position in the case. Such hearing shall be held within 15 school days of the receipt of the appeal by the Superintendent.
3. Within 15 days of the hearing, the Superintendent shall render his/her 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.
4. If the grievant is not satisfied with the determination of the Superintendent, the grievant may, within 15 days after its receipt, file with the Clerk of the Board of Education, a written request for review by the Board.

*C. Stage III Board of Education*

1. When a request for review by the Board has been made, the Superintendent shall submit all written statements and other materials concerning the case to the President of the Board.
2. The Board shall notify all parties concerned of the time and place when a hearing will be held. Such hearing will be held within 15 school days of the receipt of the request of the grievant. All parties concerned shall have the right to present further statements and testimony at such hearing.
3. The Board shall render a decision in writing within 15 days after the hearing has been concluded.

The decision of the Board may be appealed by the grievant by contacting the:

Regional Director  
United States Department of Education – Office of Civil Rights  
26 Federal Plaza  
New York, New York 10278

*Education and Training*

Education and training include the following components:

1. For all district employees:

As part of general orientation, each employee will be given a copy of the Board's Anti-Discrimination Policy and Regulation and be requested to read them and sign an acknowledgment so that they are on notice of the standards of behavior expected. In addition, the Title IX Compliance Officer will explain orally at least one time per year at departmental staff meetings, or

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other such appropriate times, the district's serious commitment to eliminating and preventing discrimination in the district, the possible penalties for engaging in discriminatory conduct, and the procedures for reporting incidents of possible discrimination.

2. For all other employees with supervisory authority over other employees, including, but not limited to, supervisors, managers, leadworkers, administrators and superintendents:

Each employee will participate in a training session at least one time per year on discrimination. At least one-third of each session will be devoted to education about workplace and academic issues of discrimination, including training (with demonstrative evidence) as to exactly what types of remarks, behavior and pictures will not be tolerated in the school workplace. The Superintendent shall attend the training sessions to introduce the seminar with remarks stressing the need to eliminate discrimination. Each participant

will be informed that he/she is responsible for knowing the contents of the district's Anti-Discrimination Policy and Regulation.

3. For Title IX Compliance Officer(s) and Investigative Officer(s):

Each Officer will attend a training seminar at least one time per year conducted by experienced discrimination educators and/or investigators to teach them about the problems of discrimination in the workplace and academic environments and techniques for identifying, investigating and addressing discrimination.

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