

STUDENT COMPLAINTS AND GRIEVANCES REGULATION***Definitions***

1. Grievant shall mean a student who alleges that there has been a violation of Title IX or Section 504 of the Rehabilitation Act 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 the 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 or the ADA.
4. Representative shall mean any person designated by the grievant as his/her counsel or to act in his/her behalf.

Individual complaints and grievances shall be handled in accordance with the following guidelines:

1. For informal conciliation, students should confer with the appropriate teacher or school personnel to achieve prompt resolution. Students may appeal to the highest authority in the school building, i.e., the Building Principal. **If there is no resolution at this level, the Superintendent may be contacted.**
2. For resolution of matters where appeal procedures are prescribed by statute, e.g., student suspensions, the prescribed course of action will be followed.
3. The resolution of student complaints alleging any action prohibited by Title IX, Section 504 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.**

B. Stage II - Superintendent of Schools

1. The Superintendent or designee 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 it.

2. The Superintendent or designee 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.
2. 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, and 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.

Distribution of the Grievance Procedure

A copy of the procedure shall be distributed to all employees and to all students or their parents/guardians. A copy of this procedure shall be available for public inspection at reasonable times with the District Clerk or at the office of the Compliance Officer.

Other Channels for Filing Complaints

There are other agencies with which grievances alleging discrimination based upon sex or disability can be filed. Although not legally required, it is strongly recommended that grievants go through the district's grievance procedures before filing a grievance with the channels listed below. Please note that since each agency has its own rules on deadlines for filing grievances, grievants should check with each agency to determine the particular rules for filing grievances. Grievants may file grievances alleging discrimination based on sex or disability with:

1. Office for Civil Rights – New York Office
U.S. Department of Education
75 Park Place, 14th Floor
New York, NY 10007-2146
2. New York State Division for Human Rights
Alfred E. Smith State Office Building, 25th Floor
PO Box 7063
Albany, NY 12202-0063
3. The Commissioner of Education
State Education Department
99 Washington Avenue
Albany, NY 12210

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