NON-DISCRIMINATION AND EQUAL OPPORTUNITY REGULATION - *new*

The procedures set forth in this regulation do not supersede any protection complainants are provided under existing state or federal law.

Definitions

1. *Complainant* means an applicant, employee, student or vendor who alleges that they have been subjected to discrimination, which may be a violation of this policy, as well as a violation of federal or state law or associated regulations, which has affected him/her.
2. *Complaint* means any alleged act of discrimination which may be a violation of this policy, which may also violate federal and state civil rights laws or associated regulations.
3. *Compliance Officer* means the employee designated by the Board of Education to coordinate efforts to comply with and carry out responsibilities under the Civil Rights Act of 1964, Section 504 and the ADA. The district's compliance officer is the Assistant Superintendent for Business and Human Resources.

The investigation and resolution of any complaints alleging an action prohibited by the Civil Rights Act of 1964, as amended, Section 504 of the Rehabilitation Act or the ADA will be dealt with in the following prompt, equitable and impartial manner:

A. Stage I--Compliance Officer

1. As soon as practicable, if possible within 30 days after the events giving rise to the allegation, complainants must file a complaint, preferably in writing using the district's complaint form, with the Compliance Officer. The Compliance Officer may informally discuss the complaint with the complainant and will promptly and thoroughly investigate the matter. All employees and students of the school district must cooperate with the Compliance Officer in such investigation.
2. Within 15 days of receipt of the complaint, the Compliance Officer will make a finding in writing that there has or has not been a violation of the Civil Rights Act, Section 504 of the Rehabilitation Act or the ADA. In the event the Compliance Officer finds that there has been a violation, they will propose a resolution of the complaint.
3. If the complainant is not satisfied with the finding of the Compliance Officer, or with the proposed resolution of the complaint, the complainant may, within 15 days after receiving 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 complainant, the Compliance Officer, student, or any member of the school district staff present a written statement setting forth any information that such person has relative to the complaint and the facts surrounding it.
2. The Superintendent will 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 will be held within 15 school days of the receipt of the appeal by the Superintendent.

3. Within 15 days of the hearing, the Superintendent will render a determination in writing. Such determination will include a finding that there has or has not been a violation of the Civil Rights Act, Section 504 of the Rehabilitation Act or the ADA, and if applicable, a proposal for equitably resolving the complaint.
4. If the complainant is not satisfied with the determination of the Superintendent or the proposed resolution, the complainant 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 will submit all written statements and other materials concerning the case to the President of the Board.
2. The Board will 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 complainant.
3. The Board will render a decision in writing within 15 days after the hearing has been concluded.

1st Reading for Adoption: May 25, 2021
2nd Reading & Adoption: June 15, 2021