

***KED – GRIEVANCE PROCEDURE FOR ALLEGED DISCRIMINATION***

Grievance Procedures to address alleged violations of: Title VI of the Civil Rights Act of 1964; Title II of the Americans with Disabilities Act of 1990; Section 504 of the Rehabilitation Act of 1973; and the Age Discrimination Act of 1975. (Grievance Procedures to address alleged violations of Title IX of the Education Amendments of 1972 are set forth in School District Policy ACA).

Part One

Any person believing that the District or any part of the school organization has inadequately applied the above-referenced regulations shall bring forth a complaint to the designated person assigned by each School Principal for her/his respective building (hereinafter Designee). The Designee will be the School Principal or Assistant Principal. Any complainant has the right to file a complaint directly with the Civil Rights Coordinator should s/he not wish to pursue the process outlined in Part One for any reason. The District's Civil Rights Coordinator is the Director of Student Services for SAU #41. Otherwise, the following procedures shall be used:

Any person or persons who has/have a grievance can verbally discuss it first with the appropriate building Designee in an attempt to resolve the matter informally at that level.

If the matter is not resolved to the satisfaction of the complainant or the complainant chooses not to resolve the matter informally, within five (5) school days, the complainant shall set forth the grievance verbally or in writing to the Designee. If the complaint is made verbally, the Designee shall transfer the information onto the Grievance Complaint Form and provide a copy of it to the complainant. If appropriate, and if the complainant is amenable to attempting mediation, the Designee can attempt to mediate the complaint. The timelines for the completion of the investigation will be stayed during the mediation process. If mediation is not appropriate, or the complainant does not wish to attempt mediation, the Designee shall investigate the matters of grievance and communicate his/her decision to the complainant in writing within ten (10) school days of notice of the grievance. At all stages of the investigation, the complainant has the opportunity to present witnesses and other evidence, which the District will consider.

Potential consequences for any violation of the above-referenced regulations may include written warning to the offender(s), suspension, expulsion, or termination of the offender(s), or any other remedial steps necessary to assure compliance with these regulations. These steps may include remedies for the complainant(s)/victim(s), when appropriate. The District will take steps to prevent recurrence of any discrimination and to correct discriminatory effects on the complainant and others, if appropriate. The District will also take steps to prevent retaliation against the person who made the complaint (and/or was the subject of the discrimination), and against those who provided information as witnesses.

Part Two

The complainant, no later than ten (10) school days after receipt of the Designee's decision, may appeal the Designee's decision to the Civil Rights Coordinator. The appeal to the Coordinator must be made in writing, reciting the matter submitted to the Designee and the complainant's dissatisfaction with decisions previously rendered. The Coordinator shall meet with the complainant to attempt to resolve the matter as quickly as possible, but within a period not to exceed five (5) school days. The Coordinator shall communicate her/his decision in writing to the complainant and the Designee not later than ten (10) school days after the meeting.

Part Three

The complainant, no later than ten (10) school days after receipt of the Coordinator's decision, may appeal to the Board. The appeal to the Board must be made in writing, reciting the matter submitted to the Coordinator and the complainant's dissatisfaction with decisions previously rendered. The Board shall hear the appeal in a timely manner.

Nothing in this policy may preclude any further legal recourse as may be described in current local district, state or federal statutes pertaining to Title VI of the Civil Rights Act of 1964; Title II of the Americans With Disabilities Act of 1990; Section 504 of the Rehabilitation Act of 1973; and the Age Discrimination Act of 1975. A complainant has the right to file a complaint at any time alleging discrimination under the above referenced regulations directly with the: *U.S. Department of Education, Office for Civil Rights, 5 Post Office Square, Suite 900, 8<sup>th</sup> Floor, Boston, MA 02109-3921.*

Part Four

Dissemination of Grievance Procedures: To effectively inform all concerned persons about the process of grieving a complaint, the adopted grievance procedures are to be disseminated to students, parents/guardians, employees, and other interested parties. This information must be provided on a continuing basis. The grievance procedure shall be disseminated through the following:

- a. SAU #41 website: [www.sau41.org](http://www.sau41.org)
- b. Available in the School Building office and at the SAU office
- c. Parent/Student Handbook

A Grievance Complaint Form is attached to the Policy.

**Legal References:**

*Section 504 of the Rehabilitation Act of 1973*

*34 C.F.R § 104.7(b), Adoption of Grievance Procedures  
Title VI of the Civil Rights Act of 1964;  
Title II of the Americans with Disabilities Act of 1990;  
Age Discrimination Act of 1975*