

**Administration
Series 300**

301.4

Title: Civil Rights Grievance Proceeding

Wilder School District does not discriminate on the basis of race, color, national origin (including limited English proficiency), religion, gender/sex, military service or status, age or disability in the District's educational programs, activities or employment practices and policies as required by applicable Federal and State laws.

This grievance policy is designed to assist the District in meeting the District's goal to provide an educational and work setting free from discrimination and harassment.

Students, patrons, parents, employees/employment applicants of the Wilder School District are afforded the opportunity to present a grievance to the District's Civil Rights Compliance Coordinator, the District's Superintendent, at the District's Administrative Offices relating to any claim of discrimination or violation of Civil Rights under Title VI, Title VII (The Civil Rights Act of 1964), the Equal Pay Act of 1973, Title IX (The Educational Amendments), Section 504 (Rehabilitation Act of 1973) and the American's with Disabilities Act (42 U.S.C. 12101, et. Seq.).

Grievance Procedure:

Any individual/group who believes that they have been subjected to illegal discrimination or harassment, based upon any of the above-stated protected classifications, may file a grievance in accordance with the provisions outlined in this policy.

The District encourages, but does not require individuals to attempt to resolve grievances informally with the individuals involved in the situation and/or immediate supervisor with the goal towards resolving the grievance.

1. An alleged grievance, as described above, must be filed in writing, signed by the grievant.
 - a. The written grievance shall be submitted to the District's Compliance Coordinator at the District's Administrative Offices:
 - b. The written grievance shall detail the specific events and circumstances which the individual/group believes given rise to a grievance.
 - c. The written grievance should state the remedy requested by the party presenting the grievance.

2. The District's Compliance Coordinator shall conduct an investigation into the circumstances giving rise to the allegations as stated in the written grievance.
 - a. The investigation shall be commenced within five (5) business days of the date of the receipt of the written grievance.
 - b. The commencement of the investigation process does not prohibit the Compliance Coordinator from attempting to obtain an informal resolution between the parties to the grievance.
 - c. The District Compliance Coordinator shall at minimum discuss the grievance with both the grieving party and the individual against whom such grievance is filed. During such discussions, the Compliance Coordinator shall obtain each party's side of the story, supporting documentation and/or witnesses.
3. Subsequent to the conclusion of the investigative activities by the Compliance Coordinator, shall issue a report of the Coordinator's findings. This report shall detail the Coordinator's findings with regard to the facts of the situation and the evidence supporting such finding.
 - a. The report issued by the Compliance Coordinator shall list:
 - i. Identification of all witnesses interviewed, even if such identification for confidentiality purposes is limited to some identification other than specific name.
 - ii. Identification of all documentation reviewed.
 - iii. A general statement of the disputed facts between the parties.
 - iv. An identification of the attempts made by the parties and by the Compliance Coordinator to informally resolve the grievance.
 - v. A conclusion as to whether or not the allegations as stated in the written grievance are found to have any merit.
 - b. The report issued by the Compliance Coordinator shall be completed within thirty (30) days of the receipt of the written statement of grievance or earlier if possible. By the consent of the parties to the grievance, this time line may be extended, with agreement to this extension documented in writing.
 - c. A Summary Report will be provided to the parties of the grievance consistent with confidentiality requirements of federal and state laws.
 - d. If either party to the grievance is in disagreement with the recommendations of the Compliance Coordinator, either party may

make a written appeal within ten (10) business days of the date of the receipt of the Summary Report.

- i. This appeal shall be submitted to the District Board through the Board Clerk.
 - ii. The District Board and/or a designee of the Board shall review the appeal and the report issued by the Compliance Coordinator.
 - iii. The District Board or Designee shall complete this review and recommendation within twenty (20) business days, unless otherwise extended upon agreement and documented in writing.
 - iv. The District Board or Designee, at their option, may hear and consider additional information that may exist regarding the allegations and may choose to speak with one or both parties to the grievance.
 - v. The District Board or Designee shall issue a written finding in a format similar to that of the Compliance Coordinator.
4. If the Compliance Coordinator states a belief that the merits of a grievance are valid and the matter has not been appealed or in the situation of an appeal, subsequent to the review of the District Board or Designee, the Decision and recommendation as to the resolution of the grievance shall be final, except in such situation wherein specific Board action is necessary to implement action (i.e. Certificated Employee Termination or Probation or Student Expulsion).
- a. Any subsequent appeal to the Board shall involve only a written statement of appeal to the Board from the appealing party.
 - b. The Board appeal shall involve only a review of the record for the grievance.
5. Should the grievance at issue be against the District's Civil Rights Compliance Coordinator, the grievance shall be filed with the Board's Clerk, who will notify the Board of the situation. Thereafter, at the Board's discretion, the Board may choose to advance the grievance directly to the Board level. Alternatively, the Board may designate an alternate Compliance Coordinator to process the grievance through the steps of this policy.
6. Upon review and approval by the District's Board, the recommendations, to the extent appropriate and compliant with applicable state and federal laws, shall be implemented.

Confidentiality:

To the extent practicable and within the applicable provisions of law, confidentiality relating to the grievance and grievance process will be maintained.

Retaliation Prohibition:

Intimidation, harassment or retaliation against any person/group filing a grievance or any person who is involved with and/or participates in an investigation or resolution of a related grievance is a violation of law and forms the basis for the right to file a separate and independent grievance.

This policy does not deny the right of a grievant to file a formal complaint with other state or federal agencies or to seek private counsel for complaints alleging harassment or discrimination based upon the above-stated protected classifications.

Documentation Retention:

Any documentation collected or generated as a result of the filing of any grievance shall be maintained in a file, separate and apart from any student's educational records or employee's personnel file.

Documents collected or generated as a result of the filing of any grievance shall be maintained by the District for a period of not less than seven (7) years in relation to a situation involving an employee and not less than three (3) years post graduation in the situation of a student.

Additional Inquiries:

Inquiries regarding compliance by the District with Title IX as well as any other Civil Rights Laws, whether state or federal, should be directed to the Superintendent or the Designee of the Superintendent at the Districts' Administrative Offices.

Adopted: November 10, 2008

~~Amended: July 8, 2013,~~

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