

## **NONDISCRIMINATION**

The Burlington Board of Education is committed to a policy of nondiscrimination in relation to race, color, religion, sex, age, national origin, alienage, handicap, or veteran status. This policy will prevail in all matters concerning staff, events, students, the public, employment, admissions, financial aid, educational programs and services, facilities access, and individuals, companies, and firms with whom the board does business. Racial discrimination shall include racial slurs or other demeaning remarks concerning another person's race, ancestry, or country of origin and directed toward an employee, a student or a visitor.

The board directs the superintendent of schools to prepare necessary rules, regulations, and procedures to insure that all local, state, and federal laws, regulations, and guidelines are followed.

The following statement will be included in all course announcements, bulletins disseminated to all students, materials used for recruiting or describing programs and training, application or enrollment forms, brochures, and catalogs:

"The Burlington Board of Education does not discriminate on the basis of disability, race, color, religion, national origin, sex, age, or veteran status."

When an open forum is created whereby non-curricular groups are allowed to meet on school premises Boy Scouts and other designated youth groups will have equal access.

Inquiries concerning application of this policy may be referred to the Superintendent who is the Title IX/504/ADA Compliance Coordinator.

Burlington Public Schools  
District

Post Office Box 17  
Street Address

580-431-2222  
Telephone

Burlington, Oklahoma 73722  
City, State, Zip

**REFERENCE:** **Oklahoma Constitution, Article 1, Section 6**  
**Title 6, Title 7, Civil Rights Act of 1964 as amended by the Equal Employment Opportunity Act of 1972**  
**Executive Order 11246, as amended by Executive Order 11375**  
**Equal Pay Act, as amended by the Education Amendments of 1972**  
**Rehabilitation Act of 1973, §504**  
**Education for All Handicapped Children Act of 1975**  
**Immigration Reform and Control Act of 1986**  
**Americans With Disabilities Act of 1990, 42 U.S.C. §12101**  
**Individuals With Disabilities Education Act, 20 USC §1400, et seq.**

## **DISCRIMINATION COMPLAINTS PROCEDURES**

The following procedures will be used by any person, including personnel and students for the filing, processing, and resolution of alleged discrimination complaints.

### Definitions

1.   Discrimination Complaint: A written complaint alleging any policy, procedure, or practice to discriminate on the basis of race, color, religion, national origin, sex, qualified handicap, veteran status, or other perceived discrimination.
2.   Student Grievant: A student of the Burlington Public School District who submits a complaint alleging discrimination based on race, color, religion, national origin, sex, or qualified handicap.
3.   Employee Grievant: An employee of the Burlington Public School District who submits a complaint alleging discrimination based on race, color, national origin, religion, sex, age, qualified handicap, or veteran status.
4.   Public Grievant: Any person other than a student or employee or employment applicant who submits a complaint alleging discrimination based on race, color, national origin, religion, sex, age, qualified handicap, or veteran status.
5.   Title IX, 504 and ADA Coordinator (Coordinator): The person(s) designated to coordinate efforts to comply with and carry out responsibilities under Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Americans With Disabilities Act of 1990, and other state and federal law addressing equal educational opportunity. The Coordinator is responsible for processing complaints and serves as moderator and recorder during hearings.
6.   Respondent: The person alleged to be responsible for the violation alleged in a complaint. The term may be used to designate persons with responsibility for a particular action or those persons with supervisory responsibility for procedures and policies in those areas covered in the complaint.
7.   Day: Day means a working day. The calculation of days in complaint processing shall exclude Saturdays, Sundays, and holidays.

### Pre-Filing Procedures

Prior to the filing of a written complaint, the grievant is encouraged to visit with the high school principal, and reasonable effort should be made to resolve the problem or complaint.

**DISCRIMINATION COMPLAINTS, PROCEDURES (Cont.)**Filing and Processing Discrimination Complaints

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| 1.  | Grievant   | Submits written complaint to Coordinator stating name, nature and date of alleged violation; names of persons responsible (where known); and requested action. Complaint must be submitted within 30 days of alleged violation. Complaint forms are available in all school offices. |
| 2.  | Coordinator  | Notifies respondent within 10 days and asks respondent to:<br><br>1. Confirm or deny facts,<br>2. Indicate acceptance or rejection of grievant's requested action, or<br>3. Outline alternatives.  |
| 3.  | Respondent   | Submits answer within 10 days to Coordinator.  |
| 4.  | Coordinator  | Within 10 days after receiving respondent's answer, Coordinator refers the written complaint and respondent's answer to the building principal. The Coordinator also schedules a hearing with the grievant, the respondent, and the building principal.                              |
| 5.  | Principal, Grievant, Respondent, & Coordinator     | Hearing is conducted.  |
| 6.  | Principal  | Within 10 days after the hearing, issues a written decision to the grievant, respondent, and Coordinator.  |
| 7.  | Grievant or Respondent                             | If the grievant or respondent is not satisfied with the decision, the Coordinator must be notified within 10 days and a hearing with the superintendent requested.   |
| 8.  | Coordinator  | Within 10 days of receiving a request for a hearing, schedules a hearing with the grievant, respondent, and superintendent.  |
| 9.  | Superintendent, Grievant Respondent, & Coordinator | Hearing is conducted.  |
| 10. | Superintendent                                     | Issues a decision within 10 days following the hearing.  |
| 11. | Grievant or Respondent                             | If the grievant or respondent is not satisfied with the decision, the Coordinator must be notified within 10 days and a hearing with the board requested.  |

**DISCRIMINATION COMPLAINTS, PROCEDURES (Cont.)**

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| 12. | Coordinator   | Notifies board within 10 days after receiving a request for hearing. Coordinator schedules the hearing with the board. The hearing is to be conducted within 30 days from the date of notification to the board. |
| 13. | Board of Education or hearing panel established by the board, Grievant, Respondent, & Coordinator | Hearing is conducted.  |
| 14. | Board of Education  | Within 10 days after the hearing, issues a final written decision regarding the validity of the grievance and any action to be taken.  |

General Provisions

1. Extension of Time: Any time limits set by these procedures may be extended by mutual consent of the parties involved. The total number of days from the date that the complaint is filed until the complaint is resolved shall be not more than 180 days.
2. Access to Regulations: The Burlington Public School District shall provide copies of all regulations prohibiting discrimination on the basis of race, color, national origin, religion, sex, age, qualified handicap, or veteran status upon request.
3. Confidentiality of Records: Complaint records will remain confidential unless permission is given by the parties involved to release such information. No complaint record shall be entered in the personnel files. Complaint records shall be maintained on file for three years after complaint resolution.
4. If respondent and principal are the same person, the above procedures are adjusted accordingly with the first hearing being with the superintendent.
5. The middle school principal shall serve as an alternate Coordinator.